

CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL
RESOURCE CONSERVATION AND RECOVERY ACT GRANT
MID-YEAR REPORT

State Fiscal Year 2014-2015

July 1, 2014 Through December 31, 2014

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INTRODUCTION

This report describes the California Department of Toxic Substances Control's (DTSC) accomplishments during the first half of state fiscal year (FY) 2014-2015; and shows DTSC's progress toward meeting the goals and objectives in the Resource Conservation and Recovery Act (RCRA) C Grant Work Plan. The activities conducted are consistent with DTSC's mission, and advance the DTSC's and the United States Environmental Protection Agency's (U.S. EPA's) strategic goals.

PROGRAM SELF-ASSESSMENT REPORTS

I. ENFORCEMENT

DTSC's Enforcement and Emergency Response Division (EERD) performed the following activities between July 1 and December 31, 2014, except where noted. The activities included in this Mid-Year Report were RCRA grant-funded and State-funded. Data from DTSC's databases provided the principal basis for reporting these activities.

Enforcement Activities

The following are enforcement highlights during the reporting period:

- ☐ Completed 49 RCRA funded inspections, 63 non-RCRA funded inspections, and 12 Used Oil Appropriation and Used Oil Contract funded inspections.
- ☐ Completed 37 Financial Assurance (FA) reviews (21 RCRA funded, 13 non-RCRA funded, and 3 Used Oil Appropriation and Used Oil Contract funded).
- ☐ Reimbursed/Released \$ 20,612,605.73 from FA mechanisms.
- ☐ Completed 48 non-RCRA funded electronic waste (e-waste) inspections.
- ☐ Assessed \$2,281,063.50 in settled cases resulting from administrative/civil enforcement actions, in which \$2,007,783.50 was from RCRA funded cases and \$273,280 was from non-RCRA funded cases.
- ☐ Initiated 23 administrative/civil enforcement cases; settled 16 administrative/civil enforcement cases (9 from RCRA funded inspections and 7 from non-RCRA funded inspections).
- ☐ Received 275 formal complaints; referred 231 complaints to Certified Unified Program Agencies (CUPAs) and other agencies; and took action on 56 complaints. Total number of complaint actions processed was 289, which also includes complaints from prior fiscal years.
- ☐ Conducted 15 County CUPA evaluations; conducted 23 CUPA oversight inspections.
- ☐ Received 11 import notifications and 18 export notifications.
- ☐ Received 14 ninety-day accumulation extension requests; 13 were approved, one was denied.
- ☐ Received no Self-Disclosure Notifications and inspected no Self-Disclosure Notifications (includes previous years' Self-Disclosures).
- ☐ At the U.S./Mexico border, a total of 1863 trucks were inspected. DTSC inspected 1119 trucks (1092 Northbound and 27 Southbound). There were 5 violations discovered for RCRA and non-RCRA waste. Additionally, under contract with DTSC, San Diego County inspected a total of 744 trucks with no violations found.

PROGRAM SELF-ASSESSMENT REPORTS

A. INSPECTION AND MONITORING

1. Inspections

The following 49 RCRA funded inspections were conducted:

RCRA FUNDED INSPECTIONS PLANNED AND CONDUCTED MID-YEAR FY 2014/2015			
Inspection Type	Total Planned *	Total Conducted	Class I Violation Observed
Treatment, Storage, and Disposal (TSD) Compliance Evaluation Inspections (CEI)	37	9	0
Focused Compliance Inspections (FCI) - TSD	-	3	1
Postclosure Facility Inspections	7	5	1
FCI - Groundwater Audit Report Inspection	-	4	0
Operation and Maintenance	-	0	0
Generator Inspections	4	0	0
Standardized Permits	-	0	0
Transporter Inspections	-	7	4
Financial Assurance Review Totals	-	21	1
(Financial Assurance Reviews for Cleanup 5-Year Review - subset)**	-	(0)	(0)
Facility Self Disclosures	-	0	0
Other Inspections – Follow-Up	-	0	0
Totals	-	49	7

* Note: Total Planned for FY 2014/2015 for TSD, Post-closure, and Generator Inspections is obtained from the RCRA Grant Inspection List for the reporting period.

**Note: Numbers within the parenthesis, identified in the Financial Assurance Reviews for Cleanup 5-Year Review box are a subset of each Inspection Type.

PROGRAM SELF-ASSESSMENT REPORTS

The following 63 non-RCRA funded inspections were conducted:

NON-RCRA FUNDED INSPECTIONS CONDUCTED MID-YEAR FY 2014-2015		
Inspection Type	Total Conducted	With Class I Violation Observed in at least one Area
Generator Inspection Totals	0	0
Standardized Permit Inspections	3	2
Universal Waste Inspections – includes Universal Waste Follow-Up and non-FA Record Reviews	47	3
Financial Assurance Reviews (includes Universal Waste)	13	0
(FA for Cleanup 5 Year Review - subset)**	(2)	(0)
Facility Self-Disclosure	0	0
Totals	63	5

**Note: Numbers within the parenthesis, identified in the Financial Assurance Reviews for Cleanup 5 Year Review box are a subset of the Inspection Type.

a. Financial Assurance Review Summary

Assessment of Financial Assurance Inspection Commitments, RCRA and Non-RCRA

DTSC staff completed the following financial assurance reviews in support of the DTSC programs.

Financial Assurance Inspections Completed		
	Completed July 1 to December 31, 2014	Class 1 Violation
RCRA Grant Funded	21	1
State Funded (non-RCRA)	13	0
Used Oil Contract	3	0
Total Financial Assurance Reviews Completed	37	1

b. Missed Financial Assurance Review Commitments

There are no missed commitments during this reporting period.

PROGRAM SELF-ASSESSMENT REPORTS

c. Financial Assurance Reimbursements and Mechanism Replacements

DTSC processed six requests from companies for reimbursement of expenses associated with facility closure or post-closure, and three mechanism releases, and six mechanism replacements for FA requirements. The total dollar amount released from FA mechanisms in the reporting period was \$20,612,605.73, as detailed in the table below:

Facility Name	EPA ID No.	Date	Type of Requirement	Requirement Changes	Reimbursement Amounts
IT Environmental Vine Hill Complex Montezuma Hills Benson Ridge Panoche	CAD982521460 CAD079089512 CAD000633289 CAD000060012	7/7/2014	Reimbursement	Ongoing Post-Closure Reimbursement	\$62,043.75 \$15,520.50 \$12,344.01 \$231,472.51 Total: \$321,380.77
IT Environmental Vine Hill Complex Montezuma Hills Benson Ridge Panoche	CAD982521460 CAD079089512 CAD000633289 CAD000060012	7/7/2014	Reimbursement	Ongoing Post-Closure Reimbursement	\$58,770.32 \$16,661.74 \$25,207.09 \$117,776.23 Total: \$218,415.38
Clean Harbors Westmorland Buttonwillow	CAD000633164 CAD980675276	8/12/2014	Partial Release	Reduction of Closure Insurance	\$3,411,302.00
Safety-Kleen Rancho Cordova	CAT000613950	8/12/2014	Release	Termination of Closure, Postclosure, Corrective Action and Liability Insurance	\$749,864.00
Riverbank Oil Transfer	CAL000190816	8/14/2014	Replacement Mechanism	Replacement Mechanism	\$76,252.00
PCCR (RP - Momentive)	CAD076180843	8/28/2014	Replacement Mechanism	Replacement Mechanism	\$1,150,000.00
Veolia ES Technical Solutions, LLC	CAD008302903	9/2/2014	Replacement Mechanism	Increase Rider for Inflation	\$4,587,729.85
Filter Recycling Services	CAD982444481	9/5/2014	Replacement Mechanism	Replacement Mechanism	\$2,000,000.00 / \$1,000,000.00
Acme Fill Corporation	CAD041835695	9/11/2014	Reimbursement	Ongoing Post-Closure Reimbursement	\$226,557.97
Siemens Water Technologies / Evoqua Water Technologies	CAD097030993	10/21/2014	Replacement Mechanism	Name Change / Replacement Mechanism	\$5,162,039.64
IT Environmental Vine Hill Complex Montezuma Hills Benson Ridge Panoche	CAD982521460 CAD079089512 CAD000633289 CAD000060012	10/24/2014	Reimbursement	Ongoing Post-Closure Reimbursement	\$63,841.10 \$12,279.45 \$14,073.33 \$86,685.28 Total: \$176,879.16
Kearney/KPF	CAD981429715	11/13/2014	Reimbursement	Ongoing Post-Closure Reimbursement	\$310,977.32
Kearney/KPF	CAD981429715	11/13/2014	Reimbursement	Ongoing Post-Closure Reimbursement	\$196,374.04
GEM (aka Stericycle) (dba PSC Environmental)	CAD980884183	12/19/2014	Replacement Mechanism	Replacement Mechanism	\$960,667.00
Ewaste Center Inc.	CAR000169094	12/19/2014	Release	Facility Closure	\$64,166.60
				Grand Total:	\$20,612,605.73

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B. HAZARDOUS WASTE GENERATORS REGULATION CUPA Coordination and Support

DTSC provided guidance and technical assistance to local regulators and the regulated community during the reporting period. DTSC continued its partnership with CalEPA and the CUPAs to meet the goals in the RCRA Grant work plan and provide suitable protection for California citizens from RCRA hazardous waste and from non-RCRA hazardous waste. Through support and oversight of the statewide CUPA program, DTSC ensured that the goals for generator compliance with RCRA and non-RCRA hazardous waste handling requirements were monitored appropriately and consistently by the CUPA's. DTSC conducted the following activities in support of this goal:

1. Assistance

Between July 1 and December 31, 2014, DTSC received 220 calls and e-mail questions from CUPAs, with 25 of these calls and e-mails relating directly to RCRA issues. An additional 80 calls and e-mails were received from members of the regulated community and the public, with 15 of these questions directly related to RCRA issues.

DTSC provided technical assistance to the CUPAs at the Bay Area, Southern, Central, and Joint Central/Southern CUPA Forum meetings, and at the Northern and Southern California CUPA Hazardous Waste Technical Advisory Group meetings.

2. External Training

Training provided or funded by DTSC is a major component of the effort to maintain consistent statewide enforcement of hazardous waste laws and regulations. DTSC committed \$10,000 in contract funds to support the training needs and activities for the CUPAs, DTSC staff, industry and the regulated community. DTSC staff participates in the Unified Program Trainers Committee which is composed of State and local training coordinators. Through this committee, DTSC staff worked closely with the CUPAs to assess training needs and plan and coordinate CUPA training. The specific trainings that DTSC conducted or were involved in are described as follows:

PROGRAM SELF-ASSESSMENT REPORTS

CUPA Name County/City or at the CUPA Conference	Training Date	Types of Trainings Provided	Number of Attendees	Corrective Action (voluntary or a part of clearing a CUPA evaluation deficiency)
Cities of Alameda, Berkeley, Fremont, San Leandro, and Union City; Counties of Alameda, Contra Costa, Napa, San Francisco, Santa Clara; DTSC, and U.S. EPA	7/8/14	Tiered Permitting (PBR including cyanide treatment, tank integrity assessment)	43	Deficiency clearing for Union City Voluntary for all others
Counties of Ventura, Santa Barbara, San Luis Obispo, City of Oxnard	7/22/14	Tiered Permitting (PBR including cyanide treatment, tank integrity assessment)	26	Deficiency clearing for Ventura County Voluntary for all others
Los Angeles City	11/18/14	Participating Agency Training	4	Clearing deficiency
UC Berkeley Labor Occupational Health Program	12/9-10/14	Hazardous Waste Generator	54	Voluntary

California Compliance School

DTSC and the California Community Colleges continued their joint-effort operation of the California Compliance School (CCS). CCS offers basic instruction on compliance with State and Federal hazardous waste laws and regulations.

- ☐ The CCS provided three-day "Hazardous Waste Generator Standards" training sessions:
 - July 22-24, 2014, (23 business students trained) in Pleasanton.
 - August 5-7, 2014, (23 students trained) in El Segundo.
 - August 12-14, 2014, (23 students were trained) in Oakland.
 - September 9-11, 2014, (23 students were trained) in San Diego.
 - September 16-18, 2014, (25 students were trained) in Sacramento.
 - October 7- 9, 2014, (14 DTSC staff were trained) in Sacramento.
 - October 14-16, 2014, (20 students were trained) in Orange County.
 - November 3- 5, 2014, (20 students were trained) in Oakland.
 - December 8-10, 2014, (25 students were trained) in El Segundo.
- ☐ CCS also conducted Department of Transportation (DOT) training for 20 students in Oakland on July 9 - 10, 2014.

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California Environmental Protection Agency Basic Inspector Academy

DTSC continues its involvement in the California Environmental Protection Agency's (CalEPA) Basic Inspector Academy. DTSC coordinated the classes and provided three instructors for each of the following classes:

- ☐ In Eureka on August 12 - 15, 2014, with 14 local agency staff trained.
- ☐ In Roseville on September 16 - 19, 2014, with 40 local agency staff trained.
- ☐ In Modesto on October 7 - 10, 2014, with 36 local agency staff trained.
- ☐ In Riverside on November 18 - 21, 2014, with 40 local agency staff trained.

Western States Project Verbal Judo

This course taught regulatory inspectors techniques to redirect and handle emotionally charged verbal attacks to generate voluntary compliance.

Western States provided this class in San Diego on October 7 - 9 (64 local agency staff were trained), and in San Francisco sponsored by and held at the U.S. EPA Region 9 office on November 12 - 13, 2014. Ten DTSC staff and seven local agency staff, in addition to U.S. Environmental Protection Agency, (U.S. EPA) staff, were trained.

Continuing Challenge

Three DTSC instructors conducted training for 12 first responders on how to investigate an environmental crime at the Continuing Challenge HazMat Workshop held in Sacramento on September 2, 2014.

Environmental Enforcement Field Sampling

DTSC staff conducted one training class in Riverside for 36 local agency staff. This training provided investigators and inspectors with a practical approach to conducting environmental field sampling for the purpose of enforcement. The class included both classroom and hands-on teaching with sampling tools used during environmental field sampling.

U.S. EPA Region 9 Basic Inspector Training

This course teaches environmental inspectors core knowledge and skills (collecting evidence, documentation, interviewing) needed to conduct quality inspections. This class was held at the San Francisco U.S. EPA Region 9 office on December 10 - 11, 2014, where 15 local agency staff were trained.

3. Periodic Evaluations Of Local CUPA Programs

There are 83 CUPAs in California, including those managed by DTSC in Imperial and Trinity Counties. For these 83 CUPAs, DTSC performs oversight functions which include: assisting with regulatory interpretations on inspections and enforcement; evaluating each CUPA on the hazardous waste portions of the

PROGRAM SELF-ASSESSMENT REPORTS

CUPA program during the CalEPA triennial evaluation; participating in various CUPA forum meetings and workgroups; coordinating with other local, State, and federal agencies regarding the CUPA Program; conducting independent oversight inspections; providing technical assistance; and providing classroom and in-the-field training.

Fifteen CUPA evaluations were conducted between July 1 and December 31, 2014 by CalEPA. DTSC participated in all 15 evaluations and conducted 23 oversight inspections of CUPA staff.

C. Complaint Investigations

DTSC's EnviroStor Data Management System shows 275 complaints were received from July 1 through December 31, 2014. These complaints, and the resulting actions taken on those complaints, are reflected in the table below. There were an additional 85 complaints received from CalEPA's on-line Single Complaint Tracking System (SCTS) that are not included in the total or the table below. Those 85 complaints were not within DTSC's regulatory jurisdiction and were referred to outside entities.

The CalEPA SCTS is an on-line system that allows the public to report environmental violations. The person entering the complaint chooses whether the complaint is related to air, solid waste, pesticides, toxic substances, water, or Proposition 65. The complaint is then routed to the appropriate board, department or office (BDO) for processing. The additional 85 complaints referenced above were created when the public entered complaints that were outside CalEPA's jurisdiction.

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COMPLAINTS HANDLED 7/1/2014 TO 12/31/2014	
	TOTAL
Complaints Received for Mid-Year FY 2014/2015	275
Complaints where Class I Violations were detected during Mid-Year FY 2014/2015	1
Complaint Actions:	
Complaints Under Investigation (Assigned with no activity, and Active complaints) by EERD Staff	24
Complaints Investigated and Closed	15
Complaints Investigated, Under Investigation by OCI	9
Pending (Unassigned Complaints)	4
Evaluated - No Further Action	4
Complaint Actions Total	56
Complaints Referred:	
Referred to CUPA	207
Referred to Other Local Agency	10
Referred to U.S. EPA	1
Referred to Other Federal Agencies	2
Referred to Other State Agencies	11
Referred (Assigned) to DTSC Programs other than Enforcement (not counted in Complaints Referred Total)	(2)
Complaints Referred Total*	231
Complaint Actions Total (also including complaints from prior fiscal years)	289

* Note: When a complaint is referred to more than one entity, only the first entity is counted as a referral. This is done to prevent double or triple counting a small number of complaints referred to multiple agencies.

D. Enforcement Activities

1. Formal Enforcement

Between July 1 and December 31, 2014, DTSC initiated formal enforcement actions for 23 cases. Six of these cases have been referred to the Office of the Attorney General or the local District Attorney. These cases have not had administrative orders issued or civil complaints filed, and negotiations for these cases are in progress. The six cases are currently considered confidential and are not listed in the table below. They are not included in the narratives in Appendix A.

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DTSC settled 16 cases through civil or administrative action, resulting in fines and penalties totaling \$2,253,063.50. As shown in the following tables, \$2,007,783.50 in penalties was assessed for nine RCRA funded inspections and a total of \$245,280 in penalties was assessed for seven non-RCRA funded inspections. The following tables identify each of the completed DTSC formal enforcement cases. Specific narratives for the initiated and settled cases are found in Appendix A.

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Enforcement Settlements from RCRA Funded Inspections							
State or Federal ID Number	Name of Facility	Inspection Date	Inspection Type Code	Enf Type Code*	Enf Action Date	Days from Inspect to First Enf Action	Settled Amount
CAD041835695	ACME FILL CORPORATION	11/16/2011, 5/26/2011	CEI, FRR	385	7/25/2014	1156	\$40,000
CAL000317239	ALL COUNTY ENVIRONMENTAL & RESTROATION INC.	7/9/2014	CEI	385	8/22/2014	44	\$10,500
CAD097030993	EVOQUA WATER TECHNOLOGIES LLC	5/20/2013	CEI	385	8/7/2014	444	\$11,000
CAD097854541	EXIDE TECHNOLOGIES INC.	4/29/2014, 8/16/2013, 8/5/2014	FCI	310	11/21/2014	462	\$1,286,373.80
CAD982444481	FILTER RECYCLING SERVICES	9/20/2007	COMPLAINT	310	10/21/2014	2588	\$75,000
CAL000174097	KROEKER INC	11/19/2013	CEI	385	7/17/2014	240	\$4,248
CAR000054031	NEUTROGENA CORP	3/17/2010	CEI	510 263 610	11/24/2014 12/12/2014 12/12/2014	1713	\$421,423
CAL000084517	SAFETY-KLEEN SYSTEMS INC	9/27/2012	CEI	385	8/7/2014	679	\$49,238.70
CAL000291177	SYNERGY	7/26/2012	COMPLAINT	510 263 610	7/21/2014 7/23/2014 8/7/2014	725	\$110,000
Number of RCRA Funded Cases Settled = 9							
Total Settlement		\$2,007,783.50					

Enforcement Type Code (Enf Type Code)	*Description
210	Enforcement Order Issued
263	Injunctive Relief
310	Final Administrative Settlement
385	Consent Order With Enforcement and Settlement – Federal CA/FO
410	Referred to Attorney General
510	Initial Civil Filing Attorney General
610	Final Civil / Judicial Action
730	Criminal Conviction

PROGRAM SELF-ASSESSMENT REPORTS

Enforcement Actions from Non-RCRA Funded Inspections							
State or Federal ID Number	Name of Facility	Inspection Date	Inspection Type Code	Enf Type Code **	Enf Action Date	Days from Insp to First Enf Action	Settled Amount
CAD983620402	ADVANCED CLEANUP TECHNOLOGIES INC.	10/15/2013	COMPLAINT	385	7/28/2014	286	\$195,000
CAL912823785	BLACK STAR OIL COMPANY INC.	12/21/2012	CEI	385	9/18/2014	636	\$3,000
CAL000375092	CRYSTAL BLUE ENVIRONMENTAL	10/22/2013	CEI	385	9/18/2014	331	\$5,500
NONE	PICK & EARN RECYCLING	4/25/2013	FCI	385	8/28/2014	490	\$5,000
CAD044003556	RAMOS ENVIRONMENTAL SERVICES	5/29/2013	CEI	385	9/10/2014	469	\$5,500
CAL000381082	THERMO FLUIDS INC.	1/15/2014	CEI	385	11/10/2014	299	\$16,280
CAL000267271	WTP	3/13/2014	FCI	385	12/9/2014	271	\$15,000
Number of non-RCRA Funded Cases Settled = 7							
Total Settlement		\$245,280					

Enforcement Type Code (Enf Type Code)	**Description
210	Enforcement Order Issued
263	Injunctive Relief
310	Final Administrative Settlement
385	Consent Order With Enforcement and Settlement – Federal CA/FO
410	Referred to Attorney General
510	Initial Civil Filing Attorney General
610	Final Civil / Judicial Action
SEP	Supplemental Environmental Project

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2. Other Enforcement Activities: (Actions which are not confidential)

Pacific Oil Company, City of Reseda, Los Angeles County: CAD983615501.

On May 18, 2011, DTSC began a complaint investigation at Pacific Oil. During the investigation, the following violations were discovered: failure to submit completed copies of manifests to the Department within 15 days after the hazardous waste was accepted by the designated facility on the manifest; failure to obtain handwritten signature of the transporter or of the owner or operator of the designated facility on the manifest; failure to submit an annual report on March 1, regarding the used oil transported during the preceding calendar year; failure to submit an annual report on March 1, regarding the used oil transported out of the state during the preceding calendar years; and transferring custody of a hazardous waste to a transporter who does not hold a valid registration issued by the Department. On October 16, 2012, the case was referred to the California Office of the Attorney General, and on April 15, 2013, an Enforcement Order was issued to the facility for the violations. On August 28 and September 16, 2013, an Administrative Hearing for the case was held, and a proposed Decision was issued by the Administrative Law Judge (ALJ) on November 4, 2013. The ALJ's decision upheld the violations, but recommended a reduced penalty; however, on January 7, 2014, DTSC gave notice to the parties that it had not adopted the ALJ's decision. On May 15, 2014, POC filed an appeal with the Los Angeles Superior Court. A hearing for the appeal is scheduled for March 19, 2015. Pacific Oil primarily transports used oil out-of-state to Botavia Energy LLC, located in Arizona.

Seacor Marine [aka Gulf Offshore Logistics, (GOL)], Dockside, Port of Hueneme, Ventura County: LAD985217819 (Complaint). On March 27, 2014, following up on a load rejection, EERD staff conducted a transporter investigation of GOL, a Louisiana shipping company which services offshore oil production rigs nationwide. Freeport (the generator) is the owner of four offshore oil production platforms operating in the Santa Barbara Channel; and the generator of hazardous waste transported from the platforms to dockside at the Port of Hueneme by GOL. Through a manifest review during the investigation, it was discovered that some hazardous waste had been stored in a secondary transporter's yard (T & T) in Ventura since December 2012. Nine roll-off bins were discovered and were quarantined. The bins contained radioactive and mixed radioactive/hazardous waste. A revised work plan for the waste classification and sorting of the bins was received by DTSC in October; work will commence as soon as a work plan is approved. EERD is coordinating with, the California Department of Public Health's Radiologic Health Branch, regarding permitting requirements and disposal options for this radioactive waste. The Ventura County Environmental Health Division (CUPA) has also been kept informed of the investigation.

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E. Data Entry, Management And Reporting

Data Entry and Management

DTSC tracks inspection and enforcement related data in the EnviroStor database. EERD works in coordination with DTSC's Data Management Unit and U.S. EPA Region 9 to ensure data quality. The details are described in the Information Management Section of this Program Self-Assessment.

F. Miscellaneous Activities

1. Compliance Incentives, Self Disclosures

DTSC received no Self-Disclosure Notifications, nor investigated any Self-Disclosure Notifications during this time period.

2. Compliance Assistance, 30-Day Storage Extension Requests

If RCRA waste must remain onsite for longer than 90 days due to unforeseeable, temporary, or uncontrolled circumstances, a one-time extension of up to 30 days may be granted at DTSC's discretion on a case-by-case basis pursuant to Title 22, California Code of Regulations, section 66262.34 (c). Generators seeking such an extension must submit a written request to DTSC. Extensions are granted in writing. From July 1 to December 31, 2014, DTSC received 14 applications for an extension. In order for a requestor's application to be approved, the application must have the following:

- 1) Be complete and contains all requested information;
- 2) Have an original signature; and
- 3) Be received by DTSC prior to the date the 90-day accumulation time expires.

Below is a summary of 30-day extension requests for generator onsite accumulation of RCRA hazardous waste received between July 1 and December 31, 2014:

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Summary of 30-Day Extension Requests Mid-Year FY 2014/2015

Facility	ID Number	City, County	Approval/Denial
United Airlines, Inc.	CAD041319294	San Francisco, San Mateo	Approved
The Boeing Co., SSFL	CAD093365435	Simi Valley, Ventura	Approved
The Boeing Co., SSFL	CAD093365435	Simi Valley, Ventura	Approved
AMPAC Fine Chemicals	CAR000069153	Ranch Cordova, Sacramento	Approved
Chevron Pipeline Co.	CAT000614669	La Mirada, Los Angeles	Approved
West Coast Wood Processing/Pacific Wood Processing	CAT000611145	Bakersfield, Kern	Approved
Shell Pipeline – LP-Carneras Pump Station	CAT000164319	Lost Hill, Kern	Approved
Honeywell	CAD074644659	Newark, Alameda	Approved
Cal/Trans		Banning, Riverside	Denied
Navy Ventura County	CA7170090206	San Nicolas Island, Ventura	Approved
Aerojet Rocketdyne	CAD008368987	Canoga Park, Los Angeles	Approved
US Dept. of Agriculture	CA6120507342	Albany, Alameda	Approved
US Dept. of Agriculture	CA6120507342	Albany, Alameda	Approved
NASA – Santa Susana Field Lab.	CA1800090010	Canoga Park, Los Angeles	Approved

Approved: 13
 Denied: 1
 Withdrawn: 0
Total: 14

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3. Permit Assistance, Review Of Permits Or Permit Modifications

EERD reviewed the following Permit or Permit Modification requests and provided comments to the Office of Permitting:

- ☐ Pacific Resource and Recovery Services, Inc., City of Los Angeles, Los Angeles County: CAD008252405
- ☐ Southern California Edison Co., San Onofre Nuclear Generating Stations, City of San Clemente, Orange County: CAD000630921

G. California/Mexico Border Program

1. Border 2020 Program Coordination And Support

DTSC is an active participant in the Border 2020 bi-national meetings and the local San Diego County Hazardous Waste Task Force meetings. DTSC staff has direct communication with PROFEPA (Mexico's Federal Enforcement Agency) and SEMARNAT (Mexico's Federal Secretariat of the Environment and Natural Resources) officials to request information on facilities operating south of the border that are importing hazardous waste and e-waste from California. This open communication with PROFEPA and SEMARNAT officials is essential during DTSC's investigations and enforcement activities. DTSC plans, organizes, and implements training on import and export requirements for the maquiladoras, Mexican government officials, industry, and non-governmental agencies. The past two training workshops were conducted as a joint effort with PROFEPA and SEMARNAT. Also, one of DTSC's activities is to provide support to the US Customs and Border Protection (CBP) on special projects related to imports/exports of hazardous waste/hazardous material.

Border Training, Workshops, And Meetings

Applicable Regulations and Risk Reduction of Contaminants for Pesticide Distributors and Farmers Training Workshop, City of Mexicali, Baja

California, Mexico: On October 8, 2014, DTSC and the California Department of Pesticide Regulations (DPR), Mexican Department of Agriculture (SAGARPA) and other Mexican federal agencies participated in a training workshop entitled "Applicable Regulations and Risk Reduction of Contaminants for Pesticide Distributors and Farmers in the City of Mexicali, Baja California, Mexico. The training workshop was organized by SAGARPA. DTSC staff provided a presentation on Waste Pesticide Management with an emphasis on hazardous waste classification determination and management. DPR provided training on state and federal regulations applied to imported vegetables from Mexico and other countries to determine pesticide residues. Approximately 50 people from the industry and farming sector attended the training workshop.

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Applicable Regulations and Risk Reduction of Contaminants for Pesticide Distributors and Farmers Training Workshop, City of Ensenada, Baja California, Mexico: On October 9, 2014, DTSC and DPR, SAGARPA and other Mexican federal agencies participated in a training workshop entitled “Applicable Regulations and Risk Reduction of Contaminants for Pesticide Distributors and Farmers” in the City of Ensenada, Baja California, Mexico. The training workshop was organized by SAGARPA. DTSC staff provided a presentation on Waste Pesticide Management with an emphasis on hazardous waste classification determination and management. DPR provided training on State and federal regulations applied to imported vegetables from Mexico and other countries to determine pesticide residues. Approximately 50 people from the industry and farming sector attended the training workshop.

Border 2020 California/Baja California Regional Workgroup, City of Imperial Beach, San Diego County: On September 3, 2014, DTSC attended the California/Baja California Regional Workgroup meeting in the City of Imperial Beach. The following agenda items were covered: Welcome and Introductions by Jeff Scott; Director Land Use, EPA Region 9; Border 2020 Overview, California/Baja California Regional Workgroup Priorities; Programmatic Priorities and Future Actions; Discussion and Questions; and, Closing and Next Steps. As part of Border 2020 Goal 5 - Enhance Compliance Assurance and Environmental Stewardship, DTSC provided a presentation on the Border Inspection Program and Training Workshops to be provided in the border region.

California Border Environmental Task Force Meeting, City of San Diego, San Diego County: On September 3, 2014, DTSC attended the California Border Environmental Task Force Meeting held in the City of San Diego. The agenda items covered were: Reports by U.S. EPA, CBP, DTSC, CalRecycle, County of San Diego, California Department of Public Health, the San Diego Regional Water Quality Control Board, Office of the Attorney General and Local Enforcement Agency. DTSC provided the following updates: Inspections at the ports of entry, and a training workshop to be held in Calexico with CBP, and Pacific Steel, Inc. Other agencies gave updates regarding the management of pesticides, e-waste, exports of hazardous waste and other environmental issues affecting the border region. The next meeting of California Border Environmental Task Force is scheduled for January 21, 2015.

California-Mexico Border Relations Council, City of San Diego, San Diego County: On October 22, 2014, DTSC attended the California-México Border Relations Council Meeting in the City of San Diego. The agenda included the following: Welcome from Matt Rodriguez, Cal EPA Secretary; Updates/Collaboration on the Border Governors Conference; Transportation Border Issues; Waste Tires; Border Projects; Border 2020; California-Mexico Memorandum Of Understanding; 2012-2013 Border Council Report; border related legislative updates; and an update of Baja California programs. A presentation was provided on DTSC’s San Diego Field Office border inspection

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program at the Ports of Entry and the training workshops provided along the California-Mexico border region.

California/Mexico Border Training, City of Calexico, Imperial County: On October 22, 2014, DTSC staff provided training to U.S. brokers in the City of Calexico on Import/Export Requirements. The training workshop was organized by CBP. Other agencies providing training were: U.S. EPA (pesticide regulations); U.S. Department of Transportation (labeling/placarding of hazardous material); and, CBP (material safety data sheets and HazMat classification). As a result, U.S. brokers received important information on import/export requirements for hazardous waste, universal waste, scrap metal and e-waste.

2. Surveillance And Enforcement

DTSC conducted coordinated inspections with CBP at the Otay Mesa Port of Entry (POE) in San Diego County and at the Calexico POE in Imperial County. DTSC conducts inspections at the Otay Mesa POE from Tuesday through Friday and at the Calexico East POE every Friday. DTSC inspected all northbound trucks importing hazardous waste and/or hazardous materials into California. DTSC inspections include review of all shipping documents, including manifests and waste profile, for the cargo. DTSC notifies PROFEPA of any rejected hazardous waste shipments.

In addition to the northbound truck stop inspections, DTSC began conducting southbound truck inspections with CBP at the CBP Otay Mesa POE. No inspections of southbound trucks were conducted at CBP Calexico POE. These coordinated inspections targeted trucks that may be illegally exporting hazardous waste into Mexico.

DTSC assisted CBP on other potential hazardous waste activities as requested by CBP. Such assistance included inspecting trucks containing scrap debris (non-hazardous materials), hazardous materials and other non-regulated commodities. DTSC staff also assisted CBP inspectors in sampling and in emergency responses for hazardous waste at the ports of entry.

San Diego County Contract

In April 2012, DTSC's renewed its contract with San Diego County for three years. This contract is funded by DTSC's RCRA grant. Two of the main activities under the contract scope of work are port-of-entry inspections at the Otay Mesa POE and providing training to the maquiladora industry. San Diego County provided two days of inspection at the Otay Mesa POE. Training was not conducted.

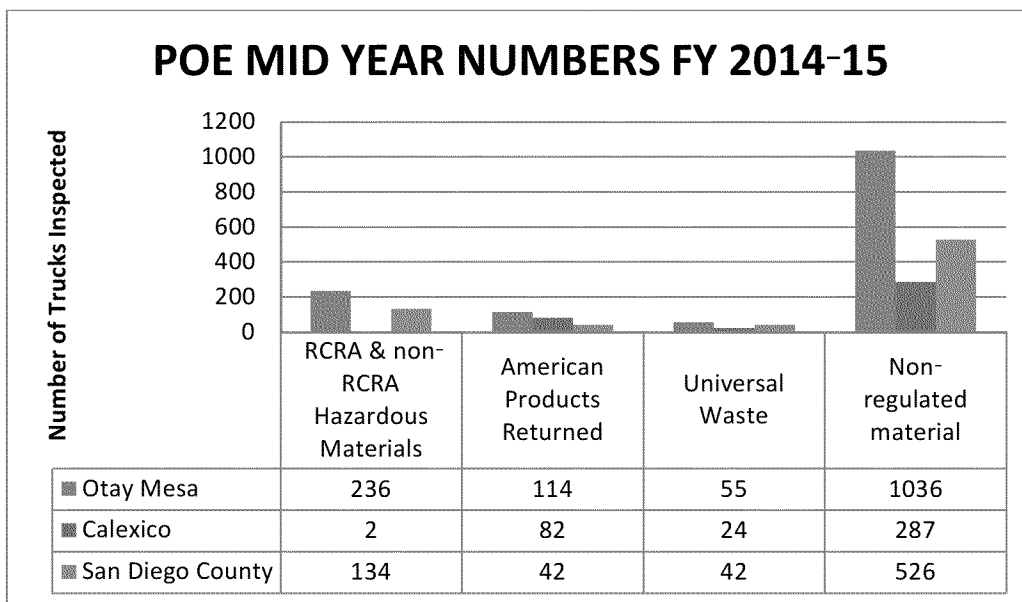
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Between July 1 and December 31, 2014, San Diego County Department of Environmental Health and CBP conducted Border truck stop inspections on a weekly basis at the Otay Mesa POE.

Inspection results are as follows.

Mexican Border Truck Stops - Northbound **July 1 – December 31, 2014**

	Number of Trucks Total (DTSC/San Diego)	Violations Total (DTSC/San Diego)
RCRA and Non-RCRA	238 (104/134)	5 (5/0)
Non-Regulated Materials/ Non-Hazardous Waste	1323 (797/526)	0 (0/0)
American Products Returned	196 (154/42)	0 (0/0)
Universal Waste	79 (37/42)	0 (0/0)
TOTAL	1836 (1092/744)	5 (5/0)

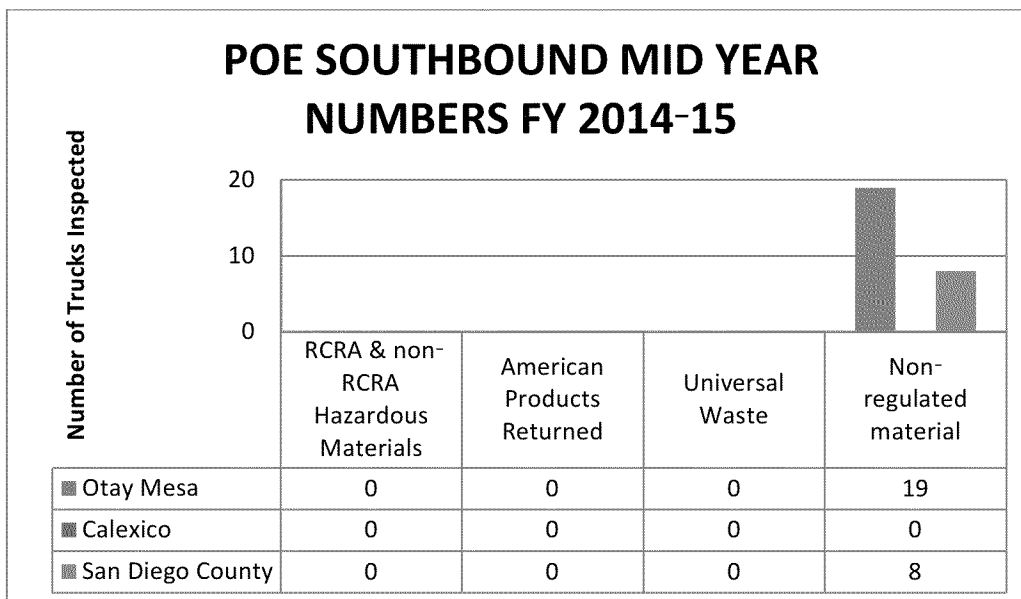


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Southbound Inspections

DTSC began conducting southbound truck stop inspections at the CBP Otay Mesa POE in April 2014. A limited number of these coordinated inspections were conducted because they required the assistance from CBP officers.

Inspection results for four days of inspections on southbound trucks, conducted on August 12 and 26, 2014; and September 2 and 23, 2014, are shown in the table below:



3. Compliance Assistance Training

DTSC conducted hazardous waste management training workshops in the cities of Mexicali and Ensenada, Mexico; and in the city of Calexico, Imperial County, California.

4. Compliance And Enforcement Capacity Building

DTSC identified and implemented activities to increase and improve compliance with environmental best practices and laws.

DTSC continues to support the Arizona Department of Environmental Quality in the development of its border compliance and enforcement program.

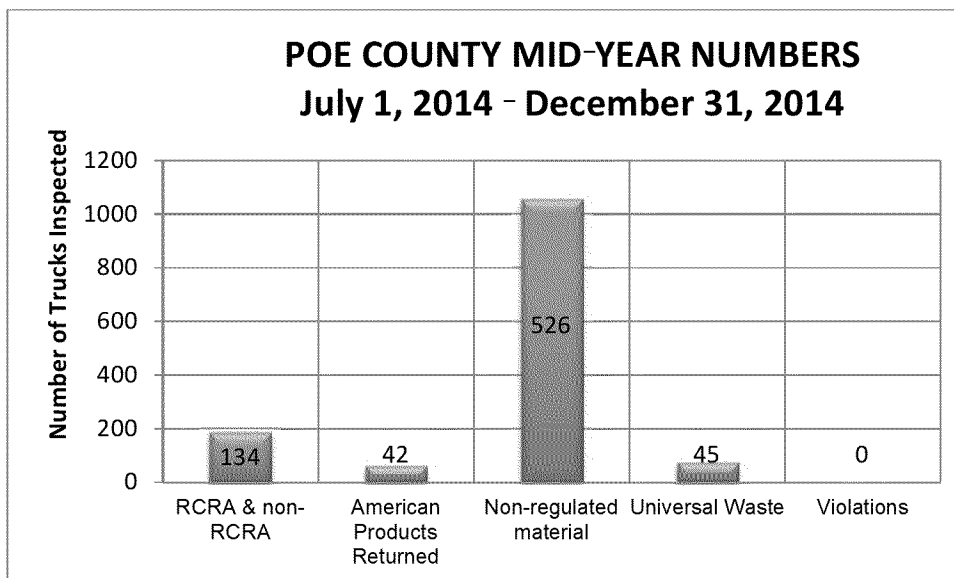
5. Port Of Entry (Import and Export of Hazardous Waste)

Between July 1 and December 31, 2014, DTSC received 11 import notifications, and 18 export notifications for the Port of Entry (POE) program.

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Data from the notifications and reports are continuously entered into the POE database.

DTSC placed emphasis on tracking imported and exported wastes. DTSC reviewed import notices and checked the receiving California facilities to ensure that they were permitted to accept the wastes in question. Information identifying the types and volumes of wastes imported and exported, and the companies that import and export hazardous wastes, were retained in DTSC files.



H. Initiatives

1. Environmental Justice

EERD has a major role in planning and implementing the strategies, activities, and tasks in DTSC's draft Environmental Justice Work Plan. The details are described in Section V. of this report.

2. Scrap Metal Recycling

DTSC's EERD and Office of Criminal Investigations (OCI) continued their work on a joint initiative to conduct inspections and investigate complaints at scrap metal recycling facilities statewide. About a dozen sites were inspected in Los Angeles, San Bernardino and Fresno Counties. All of these site visits have resulted in Class I violations and have been or will be pursued criminally or civilly.

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I. NonRCRA Funded Activities

1. Electronic Waste (E-Waste)

a. Covered Electronic Device (CED) and Cathode Ray Tube (CRT) Recyclers

DTSC's inspection of electronic waste (e-waste) recyclers and dismantlers conducting treatment of e-waste is financed by a fee collected from the consumer when a CED is purchased in California. The fee is also used by the Department of Resources Recycling and Recovery (CalRecycle) to reimburse compliant e-waste recyclers and dismantlers for their activities (via the Covered Electronic Waste or CEW Program).

DTSC is in its tenth year of inspecting electronic device and CRT material recyclers. The DTSC E-Waste Team conducts these inspections. Between July 1 and December 31, 2014, DTSC conducted 26 inspections of e-waste recyclers. One of the facilities was cited for Class I violations, seven were cited for Class II violations, 12 were cited for Minor violations, and 11 did not have violations. Currently, DTSC is taking enforcement against the company cited for Class I violations.

During the past few years as the industry has matured and consolidated, the number of e-waste recyclers that require an annual inspection by DTSC has decreased by more than 50 percent, and now stands at 36.

b. E-Waste Collectors

DTSC continued to inspect e-waste collectors for compliance with universal waste management regulations. As offsite collectors of universal waste, these facilities fall within the regulatory purview of DTSC and are not part of the CUPA inspection universe.

Between July 1 and December 31, 2014, DTSC conducted 17 inspections of e-waste collectors. Two of the facilities had Class I violations, seven had Class II violations, fourteen had minor violations, and four had no violations. None of the collectors had violations serious enough to warrant formal enforcement action.

c. New Universal Waste Handler Inspection Initiative

DTSC began a new initiative to inspect universal waste lamp and battery handlers (UW handlers) around the state who are also collecting e-waste.

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Over the past few years, DTSC has observed a disproportionate number of violations during complaint investigations of these facilities, and has determined that an inspection initiative of this industry subsector would be more proactive than continued response to complaints. Since UW handlers are neither inspected by the CUPA nor participating in the CalRecycle CEW Program, many of these companies have never been inspected and/or are not aware of regulatory requirements.

Between July 1 and December 31, 2014, DTSC inspected four UW handlers as part of the new initiative. Of the facilities inspected, none had a Class I or Class II violation, three had minor violations, and one had no violations. None of the facilities had violations serious enough to warrant formal enforcement action. Eleven more UW handler inspections are planned by June 30, 2015.

d. Efforts to Reduce Future CRT Stockpiling and Abandonment

In December 2014, DTSC prepared and issued an advisory to hundreds of e-waste handlers regarding their responsibility for the final disposition of CRTs and CRT glass they send out of state. The goal of the advisory was to prevent incidents such as the one at Dow Management in Arizona, where the owner stockpiled millions of pounds of California CRTs in three warehouses, then fled the country. Low-cost intermediate CRT processing facilities in Arizona remain an attractive option to California e-waste dismantlers/recyclers who submit reimbursement claims to CalRecycle for the material shortly after shipment out of state.

DTSC continues to meet quarterly with management and staff from CalRecycle, Arizona Department of Environmental Quality, and U.S. EPA Region 9 to monitor the shipment of millions of pounds of California CRTs to Arizona each year.

2. Used Oil

DTSC, in coordination with CalRecycle, continued to provide oversight of transporters, transfer stations, and recyclers of used oil in accordance with California's Hazardous Waste Control Law.

DTSC conducted 12 Used Oil inspections, as follows.

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USED OIL INSPECTIONS PLANNED AND CONDUCTED MID-YEAR FY 2014/2015			
Inspection Type	Total Planned	Total Conducted	With Class I Violation Observed
CEI – TSD – Used Oil Recycler	1	1	0
CEI – Transporter (Used Oil Contract)	6	5	0
CEI – Standardized Permit (Used Oil Contract)	4	1	0
FCI-TSD Used Oil Recycler (Used Oil Appropriations)	3	2	1
Non-Financial Record Review – Treatment, Storage and Disposal – Used Oil Recycler (Used Oil Contract)	0	0	0
Financial	3	3	0
Totals	17	12	1

J. DTSC Is the CUPA in Imperial And Trinity Counties

The Unified Program consolidates, coordinates and makes consistent the administrative requirements, permits, inspections and enforcement activities of six environmental and emergency response programs. CalEPA's role is to oversee the implementation of the Unified Program as a whole. The state agencies responsible for these programs set the standards for their program while local governments implement the standards. The Unified Program is implemented at the local level by 83 government agencies certified by the Secretary of CalEPA.

DTSC has been designated by CalEPA to implement the Unified Program (as a CUPA) in Imperial and Trinity Counties. The details are described in the Imperial and Trinity County CUPA Programs Implementation Summary, Appendix B.

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II. PERMITTING

A. GPRA Permit and Permit Renewal Goals

The Federal Government Performance and Results Act (GPRA) Permit/Permit Renewal/Post-Closure/Closure Verification goals are achieved when a hazardous waste facility meets "approved controls" in place. The approved controls are considered in place when the facility operates under a final, approved permit/permit renewal; closes with approved post-closure permit; or achieves clean closure verification. The DTSC Office of Permitting (Permitting) is the lead agency for approving these controls. Having these controls in place is a key element to ensuring that hazardous waste facilities in California operate safely and that human health and the environment are protected. This report provides a summary of California's GPRA achievements.

Each year, U.S. EPA sets specific goals for the RCRA Grant and GPRA that Permitting is committed to meet. For Fiscal Year (FY) 2014-2015, Permitting and U.S. EPA agreed to a goal of eight Permit/Permit Renewal/Post-Closure/Closure Verifications. As of December 31, 2014, Permitting has met three of the eight Verifications as outlined below:

Company Name	U.S. EPA ID Number	Type of Commitment
VEOLIA ES TECHNICAL SOLUTIONS LLC RICHMOND	CAT080014079	Renewal
NAVAL BASE CORONADO MIXED WASTE STORAGE FACILITY	CAR000019430	Renewal
CROSBY & OVERTON	CAD028409019	Renewal

B. Multi-Year Strategy

The RCRA Grant and GPRA Project commitments to be completed during FY 2014-2018 were summarized in a "Multi-Year Strategy Work Plan" and submitted to U.S. EPA Region 9 on September 20, 2011. A revised Multi-Year Strategy Work Plan was submitted to U.S. EPA on March 13, 2013. Revisions to the Multi-Year Strategy Work Plan for the following years are provided in March of each year. The permits issued, permit modifications, and most closures will be accomplished by Permitting. Other closures and corrective action activities will be accomplished by the DTSC Site Cleanup Program. Every effort has been made to plan realistic targets in order to stay on schedule with the RCRA Grant and GPRA goals.

The Multi-Year Strategy Work Plan, submitted to U.S. EPA in March 2013, shows targeted facilities for GPRA goals for three years (from 2015 to 2018) of the RCRA Grant cycle. It tracks and projects all facilities and sites for which DTSC has been delegated RCRA authority, including new permits, permit backlogs, permit renewals,

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post-closure permits, closures, and corrective action. The Multi-Year Strategy Work Plan also includes sites managed by both DTSC Cleanup Program and the Regional Water Quality Control Boards (RWQCBs). Any issues between DTSC and the RWQCBs affecting achievement of GPRA objectives and performance measures are coordinated by DTSC.

Program Wide Activities

Some of the other activities that are absolutely essential for the effective implementation of an authorized RCRA program in the State of California include: program evaluation, program streamlining, regulation development, guidance development, and program training.

In addition to meeting the Grant/GPRA permit goals, DTSC's Office of Permitting completed three Standardized Permits, six Class I modifications, three Class I* modifications requiring prior approval, one Class II permit modification, one Class III permit modification, and 29 Emergency Permits.

Standardized Permits

- ☐ SAN DIEGO GAS & ELECTRIC COMPANY – Completed 7/7/2014, 8/6/2014
- ☐ RIVERBANK OIL TRANSFER, LLC – Completed 10/13/2014
- ☐ DAVID H FELL AND COMPANY INC – Completed 8/19/2014

Class 1 Mods

- ☐ EVOQUA WATER TECHNOLOGIES LLC – Completed 7/2/2014
- ☐ SAN DIEGO GAS & ELECTRIC CO MIRAMAR WASTE MANAGEMENT FACILITY – Completed 7/22/2014
- ☐ SQUARE D COMPANY – Completed 9/15/2014, 12/15/2014
- ☐ THE DOW CHEMICAL COMPANY – Completed 8/22/2014
- ☐ WEST COUNTY LANDFILL INC – Completed 8/19/2014
- ☐ BIG BLUE HILLS PESTICIDE CONT DISPOSAL – Completed 10/2/2014

Class 1* Mods

- ☐ EVOQUA WATER TECHNOLOGIES LLC – Completed 11/5/2014
- ☐ SAFETY-KLEEN OF CALIFORNIA INC – Completed 9/22/2014
- ☐ TECHALLOY CO INC – Completed 10/16/2014

Class 2 Mods

- ☐ EXIDE TECHNOLOGIES INC – Completed 11/18/2014

Class 3 Mods

- ☐ EDWARDS AIR FORCE BASE – Completed 12/19/2014

Emergency Permits

- ☐ BEALE AFB(2)

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- ☐ NAVAL AIR STATION, NORTH ISLAND (2)
- ☐ MICHROM BIORESOURCES
- ☐ CORDIS CORPORATION
- ☐ AMGEN SF
- ☐ MT. SAN ANTONIO COLLEGE
- ☐ GILEAD SCIENCES
- ☐ USDA
- ☐ UC DAVIS(2)
- ☐ VERTEX PHARMACEUTICALS (2)
- ☐ BIO-RAD LABORATORIES - HERCULES
- ☐ BIO-RAD LABORATORIES - RICHMOND
- ☐ JANSSEN RESEARCH AND DEVELOPMENT
- ☐ GENENTECH
- ☐ NATUREX
- ☐ DART NEUROSCIENCE
- ☐ BNSF RAILWAY
- ☐ UNIVERSITY OF THE PACIFIC
- ☐ HARVEY MUDD COLLEGE
- ☐ ALFOREX SEEDS
- ☐ E&J GALLO WINERY
- ☐ LIFE TECHNOLOGIES
- ☐ SOUTHERN CALIFORNIA UNIVERSITY OF HEALTH SCIENCES
- ☐ ABBOTT DIABETES CARE
- ☐ SANDIA RESEARCH LABORATORIES

C. Public Participation Activities – Permitting

The activities reported are for permitting decisions finalized during this reporting period and do not necessarily coincide with the reporting period.

1. Permit Renewal

Crosby and Overton, Long Beach, Los Angeles County

Drafted and finalized the Community Notice and Public Notice; and made arrangements for translation of the documents. In June 2014, staff distributed Community Update/Fact Sheet announcing public comment period from June 4, 2014 – July 21, 2014. Final permit decision notice was distributed August 22, 2014.

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Naval Base Coronado Mixed Waste Storage Facility, San Diego, San Diego County

Staff surveyed the community in March and April of 2014, for the Permit Renewal of the Mixed Waste Storage Facility. The Community Update/Fact Sheet announcing public comment period (September 22, 2014 – November 7, 2014) was distributed in September 2014; and a Public Hearing was held in October 2014. Final permit decision notice was dated December 31, 2014.

Veolia Environmental Services Technical Solutions (Onyx Environmental LLC.), Richmond, Contra Costa County

The final Community Notice, Public Notice, and the radio ad were sent out, published, and broadcast in English and Spanish during February 2014. A second public comment period was conducted June 27- August 11, 2014 for the Veolia permit renewal. The Community Notice and Public Notice were advertised; the fact sheets were mailed to the community; the notices were again published in Spanish and English; and the radio ads ran again in June 2014. Final permit decision, September 8, 2014, public notices were distributed.

2. Permit Mod

Edwards Air Force Base, Edwards, Kern County

On July 18, 2014, a fact sheet was mailed announcing a public comment period (July 22 – September 19, 2014) for a proposed Class 3 Permit Modification and Draft Environmental Impact Report. Final permit decision notices were distributed December 19, 2014.

3. Updates

Exide Technologies, Vernon, Los Angeles County

During May – June 2014, staff developed a tailored outreach strategy, communications materials and a soil remediation activities process for the remediation of homes in two assessment areas (Maywood and Boyle Heights CA.)

During July – August 2014, staff went to 39 properties (homeowners and tenants) via phone and door-to-door outreach to provide soil test results to property owners in both assessment areas and discuss next steps. DTSC staff worked with two property owners/tenants to secure access for soil remediation activities. Soil removal activities took place at two properties within one of the assessment areas.

In August and again in September 2014, letters were mailed to 200+ property owners in the two assessment areas encouraging them to have the soil at their properties sampled.

In September 2014, staff prepared a Community Update/Fact Sheet (in English and Spanish) announcing the Draft Interim Measures Work Plan and the Public Comment Period and distributed via hard copy mailing and posted electronically

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to the DTSC website. A Public Notice announcing the Draft Interim Measures Work Plan was displayed in the *La Opinion* and the *Los Angeles Times* newspapers.

In November 2014, staff prepared a Community Update/Fact Sheet (in English and Spanish) announcing the Approval of the Interim Measures Work Plan and distributed via hard copy mailing and posted electronically to the DTSC website.

These are not the complete set of activities for the issuance of the permit. These Public Participation activities were community engagement activities and were conducted to assist the community with project information/notification on lead dust testing at the Exide facility.

4. Emergency Permits

For each Emergency Permit listed above, staff developed notices, including the effective dates of the permit, and published the notices in local newspapers.

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III. CORRECTIVE ACTION

A. Government Performance and Results Acts (GPRA)

Environmental Indicators Report

The RCRA Corrective Action and the Government Performance and Results Act (GPRA) require facilities that have treated, stored or disposed of RCRA hazardous waste to investigate and cleanup hazardous releases, in accordance with state and federal requirements. California has 261 RCRA Corrective Action facilities tracked by the United States Environmental Protection Agency (U.S. EPA). The federal GPRA goals for Environmental Indicators (EI) include: (a) Human Exposure under control (HE), (b) Contaminated Groundwater Migration under control (GWM), and (c) Remedy Construction Complete (RCC).

There is currently a discrepancy between the number of EI completions that EPA has committed to their management (6 HE, 12 GWM, 23 RCC) and the number of EI's that DTSC expects will actually be completed (2 HE, 2 GWM, 10 RCC) in California this Fiscal Year. DTSC is currently working with EPA to meet with individual project managers at each of the DTSC regional offices (Sacramento, Berkeley, Chatsworth, and Cypress) to resolve these differences and come up with a mutually acceptable number of EI targets. Once DTSC and EPA determine the correct number of EI's to be targeted this FY, we expect to be able to achieve those mutually agreed upon goals.

The list of facilities that have so far met the GPRA goals for these Environmental Indicators during the period from July 1 - Dec. 31, 2014 are:

Facilities meeting Human Exposure under control Environmental Indicator

EPA ID	PROJECT NAME	COMP DATE	EVENT CODE
CAD028409019	CROSBY & OVERTON - PLANT #1	8/20/2014	CA725YE

Facilities meeting Groundwater Migration under control Environmental Indicator

EPA ID	PROJECT NAME	COMP DATE	EVENT CODE
CAD028409019	CROSBY & OVERTON - PLANT #1	8/20/2014	CA750YE
CAD980585293	INDUSTRIAL WASTE UTILIZATION INC	9/2/2014	CA750YE
CAT000617258	GNB TECHNOLOGIES	9/25/2014	CA750YE

Facilities meeting Remedy Construction Complete Environmental Indicator

EPA ID	PROJECT NAME	COMP DATE	EVENT CODE
CAD028409019	CROSBY & OVERTON - PLANT #1	8/20/2014	CA550RC
CAD980585293	INDUSTRIAL WASTE UTILIZATION INC	9/2/2014	CA550RC

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Environmental Indicators Summary (Jul. 1 – Dec. 31, 2014)		
Remedy Construction Complete (RCC) =	CA550RC	2
Human Exposure Under Control (HEC) =	CA725YE	1
Migration of Groundwater Under Control (GWC) =	CA750YE	3
Grand Total:		6

B. Public Participation Activities – Corrective Action

The following activities during this reporting period coincide with project milestones and release of documents.

Beckman Coulter, Fullerton, Orange County

In April-May 2014, DTSC staff designed and distributed a survey and cover letter via mail and on-line to gauge community interest and to develop a community profile. The final Community Profile was completed in November 2014. Staff distributed a Community Update/Fact Sheet announcing public comment period (November 21, 2014-January 9, 2015) on the Proposed Cleanup Plan in November 2014.

IV. SAFER PRODUCTS AND WORKPLACES

Green Chemistry Initiative and Implementation of Safer Consumer Products Regulations

With U.S. EPA's support, DTSC continued making significant progress in the implementation of the Safer Consumer Product regulations. Two important accomplishments were key factors in DTSC's effectiveness: extending the Interagency Personnel Act assignment of Eileen Sheehan from Region 9, and reaching agreement to extend the 2012 Memorandum of Understanding (MOU) between U.S. EPA and DTSC for two years. The MOU promotes the advancement, development, and implementation of Green Chemistry.

Eileen Sheehan's contributions were invaluable. Her support and work facilitating coordination and collaboration with U.S. EPA staff and management in Region 9, and in their Headquarters' Office of Chemical Safety and Pollution Prevention (OCSPP) and the Office of Research and Development (ORD) greatly contributed to the identification of potential priority products and the development of guidance for conducting Alternatives Analyses. Of special significance, was Eileen's success in connecting technical staff at DTSC with U.S. EPA colleagues working on methylene chloride in paint stripping applications and spray polyurethane foam issues. Because of these connections, DTSC staff members have a better understanding of the technical and procedural aspects of U.S. EPA's Toxic Substances Control Act (TSCA) Work Plan chemical and risk assessments and how that work complements and informs DTSC efforts. Additionally, Eileen was essential to connecting DTSC staff with U.S. EPA's experts in technical disciplines, such as computational toxicology and data systems dealing with chemical information sources. Eileen's efforts were invaluable for the MOU extension.

During this reporting period, agreement to extend the Green Chemistry MOU was reached. Extending this MOU facilitates the continued coordination and collaboration between DTSC and U.S. EPA on green chemistry efforts through the end of 2016.

DTSC continued the Green Chemistry Initiative, primarily through efforts to implement the provisions of the SCP regulations, effective October 1, 2013. These regulations represent a new and progressive approach to promoting the design and use of consumer products that minimize potential harm to people and the environment because they encourage the use of safer alternatives. These efforts are consistent with U.S. EPA's efforts to promote pollution prevention, hazardous waste source reduction and green chemistry practices.

DTSC conducted activities that encourage industry to achieve positive environmental results by initiating the implementation of the SCP regulations. These efforts include the following tasks:

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- A. On September 25, 2014, DTSC released its draft Priority Product Work Plan (Work Plan) for 2015-2017. The Work Plan identifies product categories from which Priority Products are selected. The three year Work Plan outlines some of the considerations behind DTSC's product category selections. DTSC plans to finalize the Work Plan in early 2015 after consideration of public comments received during the comment period. Once finalized, staff will use research and stakeholder input to identify specific product-chemical combinations that warrant consideration as potential Priority Products. An update to the Work Plan will be issued one year before the expiration date¹.

Public workshops were held on September 25, 2014 in Sacramento and on September 29, 2014 in Cypress, to give the public an opportunity to hear DTSC explain the Work Plan and comment on the draft.

- B. In September 2014, DTSC launched the new California Safer Products Information Management System (CalSAFER). CalSAFER is an online tool which allows the public to provide comments and documents directly to DTSC via the internet. The initial launch of the CalSAFER comments function occurred in conjunction with the Priority Product Work Plan workshops and public comment period. DTSC received 344 comments on the Work Plan via CalSAFER. CalSAFER provides the public with an easy tool for submitting comments and documents, as well as the ability to search and view all comments submitted. Subsequent phases of CalSAFER will provide increased capability for commenting on formal rulemaking, petitioning the department to add or subtract chemicals and products from lists, and the submission of Alternatives Analyses. CalSAFER promotes transparency while protecting trade secret information, as necessary.
- C. In October 2014, DTSC updated the *Informational Candidate Chemicals List*. This list includes chemicals that exhibit "a hazard trait and/or an environmental or toxicological endpoint" and appear on one or more of the 23 authoritative lists identified in the Safer Consumer Products regulations (Cal. Code Regs., tit. 22, § 69502.2(a)). In addition to individual chemicals, the informational list includes groups of chemicals. Some groups were taken from an authoritative list; in other cases, DTSC placed chemicals into well-recognized groups or created new groupings of closely related substances (e.g., parent chemicals and their metabolites; nitro polycyclic aromatic hydrocarbons (PAHs)).

The *Informational Candidate Chemicals List* is a searchable database. It allows the public and interested stakeholders to identify which chemicals DTSC considers potential candidates for regulation when used in a specific consumer product of concern. These chemical-product combinations are identified by DTSC as "Priority Products" and once identified, manufacturers (or responsible entities) of these Priority Products are subject to the SCP regulations, including the requirement to conduct an Alternatives Analysis.

¹ <http://www.dtsc.ca.gov/SCP/upload/FINAL-DRAFT-PPWP-140909.pdf>

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It is important to note that the list of Candidate Chemicals is always changing because it points to other lists owned by authoritative bodies that make amendments to varying degrees and at varying rates. It would be very difficult for external stakeholders to continuously monitor all of the lists for changes. Thus, DTSC's updates to the *Informational Candidate Chemical List* are very helpful for stakeholders who might utilize the list to see if they are using a chemical of concern.

- D. DTSC continued to meet with interested stakeholders about the initial draft Priority Products that were announced on March 13, 2014. This ongoing dialogue resulted in a variety of changes to the scope of the original three draft Priority Products. The initial Priority Products list is the first set of product-chemical combinations named for consideration by DTSC to be regulated under the Safer Consumer Products regulations.

The Priority Products and Candidate Chemicals are:

- ☐ Spray Polyurethane Foam (SPF) Systems containing unreacted MDI (methylene diphenyl diisocyanates);
 - ☐ Children's Foam Padded Sleeping Products containing Tris (1,3-dichloro-2-propyl) phosphate or TDCPP and TCEP; and
 - ☐ Paint and Varnish Strippers, and Surface Cleaners with methylene chloride
- E. On October 16, 2014, DTSC provided an overview of the Safer Consumer Products regulations and program to the National Tribal Toxics Council. This was an opportunity to discuss the work California is undertaking to protect consumers from toxics in consumer products with national Tribal leaders.
- F. DTSC convened Green Ribbon Science Panel (GRSP) on October 20 and 21, 2014. The GRSP provides advice and is a resource to the DTSC Director and the California Environmental Policy Council on a variety of scientific and technical matters related to developing green chemistry and chemicals policy recommendations and implementation strategies. The GRSP meeting focused on DTSC's draft Priority Product Work Plan and the methodologies and issues related to its development. Additionally, the GRSP addressed various aspects of the Alternatives Analysis Guidance development. The
- G. DTSC continued development of Alternatives Analysis guidance, tools, training and information. Initial drafts of documents developed during the grant period will be released in phases in 2015. DTSC will be developing comprehensive guidance for conducting Alternatives Analyses under the state's SCP regulatory requirement framework. Deliverables will include guidance development workshops/webinars, published guidance documents, case studies, training materials and delivery. Materials developed for California's program will have utility within the "community of practice" that conducts alternatives assessments under various authorities. DTSC has maintained coordination with various entities using and developing Alternatives Assessment models (U.S. EPA's Design for Environment, Interstate Chemicals Clearinghouse, BizNGO, etc.).

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- H. Promoting Green Chemistry Education and Practice: DTSC continued to collaborate with higher education institutions to promote the development of green chemistry based curriculums, education, and practice. The objective is to create a work force that understands green chemistry principles and develops useful tools.

DTSC continued working with the UC Berkeley Center for Green Chemistry Greener Solutions program by providing expertise and funding for continued growth of the program. Deliverables included student/industry collaborative reports and students with increased knowledge and capabilities.

In the 2014 fall semester, two student groups worked on two separate projects. One group worked with DTSC and General Coatings Manufacturing Corp. to find replacements for methylene diphenyl diisocyanate (MDI), a toxic ingredient in spray polyurethane foam insulation, one of DTSC's draft Priority Products. The other group focused on finding safer preservatives for household and personal care products, such as laundry detergents and face creams. Students worked with Beautycounter and Seventh Generation Inc. to identify possible safer substitutes. Beauty, Personal Care and Hygiene is a category in the draft Work Plan for 2015 - 2017.

Project accomplishments may be found at: <http://bcgc.berkeley.edu/GS-2014>

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V. ENVIRONMENTAL JUSTICE

During the current reporting period, DTSC's Environmental Justice (EJ) Initiative focused on community-based compliance and enforcement actions, reducing impacts from industries in disadvantaged communities, improving transparency and public outreach opportunities. DTSC achieved foundational accomplishments including drafting a Supplemental Environmental Projects (SEP) Policy, and training on the use of CalEnviroScreen and other screening tools to prioritize actions benefiting disadvantaged communities.

Background

DTSC's EJ Initiative outlines DTSC's efforts to prioritize both RCRA and State enforcement and compliance actions in EJ communities, and is demonstrative of DTSC's compliance with California's environmental justice statutes and Title VI of the federal Civil Rights Act.

DTSC's former Enforcement and Emergency Response Program, now the Enforcement and Emergency Response Division (EERD), began the EJ Initiative in May 2007. The Initiative was formed to address three critical concerns articulated by EJ groups:

1. Reducing environmental harm and health risks through targeted enforcement actions of the "worst offenders" identified by EJ communities.
2. Establishing fair, consistent, and uniform enforcement.
3. Providing for early and meaningful public participation in DTSC's enforcement actions and performance.

In 2012, the Initiative expanded to a statewide focus and a departmental scope. The initiative is supported by one EJ Coordinator and interested staff that voluntarily contribute their limited available time to EJ projects. Participating staff are from DTSC's regional offices located in Sacramento, Berkeley, Clovis, Chatsworth, Cypress, San Diego, and El Centro. The Initiative utilizes a seven-step strategy to achieve its mission:

1. Reach out to and engage with community residents and advocacy groups.
2. Establish relationships to build public trust.
3. Learn community perspectives and issues through listening, bus tours, and task force participation.
4. Identify and prioritize environmental harms in EJ communities based on screening tools and community input.
5. Respond to community complaints in a timely and effective manner.
6. Build effective partnerships with other environmental regulatory agencies to comprehensively address environmental issues.
7. Provide transparency and early and meaningful public participation.

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COMPLETED ACTIONS

A. Policy and Foundational Accomplishments

1. Drafted DTSC's SEP Policy- December 2014

DTSC drafted a SEP policy. (CalEPA's SEP Policy is followed currently.) This draft policy outlines key priorities for encouraging the use of SEPs, with a focus on:

- a. Prioritizing the use of SEPs in communities facing higher pollution burdens and vulnerabilities.
- b. Prioritizing community involvement and transparency.
- c. Collaborating with third-party organizations to help identify appropriate SEPs, oversee project implementation, and provide reporting.

DTSC expects to conduct public workshops, revise the SEP Policy as needed and finalize the document.

2. Created a DTSC Assistant Director for Environmental Justice Position- November 2014

DTSC established a new position for an Assistant Director of Environmental Justice that will lead the integration of EJ and Tribal affairs throughout DTSC.

3. Compiled List of EJ Organizations and Agency EJ Contacts in California - October 2014

The list is comprised of 140 EJ organizations statewide, chairs of the major community task forces, and State agency EJ coordinators in support of multi-agency communication on EJ issues.

4. Drafted DTSC's EJ Plan - July 2014

DTSC's Draft Environmental Justice Plan 2014 outlined goals, objectives, and actions aligned with DTSC's Strategic Plan, Fixing the Foundation work plans, 2004 CalEPA EJ Strategy, U.S. EPA Plan EJ 2014, CalEnviroScreen, and recent legislation prioritizing enforcement in disadvantage communities - AB1329. The goals, objectives and actions of the draft EJ Plan represent DTSC's commitment to environmental justice in California.

B. Access to Information and Opportunities for Public Participation

1. Developed Pilot Project for Public Comment on DTSC's Administrative Enforcement Actions – December 2014

DTSC's pilot project proposes to offer a 30-day public comment period on Administrative Orders. Staff conducted five community feedback workshops, in Los Angeles, Riverside/San Bernardino, Coachella/Imperial, Central Valley, and Oakland, and presented the pilot project on December 10, 2014 at DTSC's

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Public Meeting. The project is posted on DTSC's website and is scheduled to launch in January 2015.

2. Developed DTSC's EJ SharePoint Site

The site is designed for internal cross-program information sharing and includes contacts, news, a calendar of events, and an EJ information repository. The launch is scheduled for early January 2015.

C. Compliance and Enforcement Actions

1. Adopted CalEnviroScreen and Other Screening Tools to Prioritize Work in Disadvantaged Communities – July 2014

DTSC began prioritizing complaint investigations, inspections, cleanups, and enforcement activities based on two new screening tools: the California Communities Environmental Health Screening Tool (CalEnviroScreen) and DTSC's Spatial Prioritization Geographic Information Tool. CalEPA's Office of Environmental Health Hazard Assessment (OEHHA) developed CalEnviroScreen to help identify disadvantaged communities most burdened by pollution from multiple sources and most vulnerable to its effects.

DTSC's own screening tool for prioritizing impacted wells and facilities of interest is called Spatial Prioritization and Geographic Information Tool (SPGIT). The tool is currently being used in three specific project areas to help DTSC identify and address well contamination from halogenated solvents in burdened communities:

- ☐ Goshen in Tulare County
- ☐ Northern California Youth Correctional Facility in Stockton
- ☐ Jordan Downs in South Central Los Angeles

2. Trained DTSC Staff on CalEnviroScreen Fundamentals – December 2014

CalEnviroScreen training was provided to DTSC staff on December 8, 2014. Additional trainings will be provided to enforcement, permitting, and public participation staff in 2015.

D. Statewide Task Forces, Conferences, and Work Groups

1. DTSC continued to participate in eight statewide community-led monthly task force meetings or website networks. The community-led task forces and website networks include:

Kern Environmental Enforcement Network (KEEN) Task Force

The task force meets on the first Tuesday of every month in Bakersfield. Six meetings were held during the reporting period. Further information can be found at the following website: <http://www.kernreport.org/task-force>.

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Fresno Environmental Reporting Network (FERN) Task Force

The task force meets on the third Monday of every month in Fresno. Six meetings were held during the reporting period. Further information can be found at the following website: <http://fresnoreport.org/task-force>.

Imperial County Environmental Justice Task Force (ICEJTF)

The task force meets the last Thursday of every month. The DTSC CUPA Imperial and Trinity Branch Chief is co-chair of these meetings. Six meetings were held during reported period. Further information can be found at the following website: <http://ivan-imperial.org/taskforce>.

Identifying Violations Affecting Neighborhoods (IVAN) - Imperial

A total of 67 reports were entered into IVAN-Imperial from concerned community citizens. During this time period:

- ☐ 48 reports were validated as having merit upon which to act;
- ☐ 19 reports were determined to be unsubstantiated and therefore, no further action was warranted;
- ☐ Seven validated reports were referred for further investigation. One of the referred reports resulted in enforcement; and
- ☐ Five reports were investigated by the DTSC Imperial County CUPA as complaints. All five of these complaints were resolved.

East Coachella Valley Task Force

The task force meets the third Wednesday of each month. Six meetings were held during the reporting period. Further information can be found at the following website: <http://coachellaunincorporated.org/tag/environmental-justice-enforcement-taskforce-for-the-eastern-coachella-valley/>

Inland Valley Task Force

The task force, which covers San Bernardino and Riverside Counties, meets bi-monthly on the third Wednesday of every other month. Three meetings were held during the reporting period.

Los Angeles Environmental Justice Network (LAEJN)

The LAEJN meets the second Tuesday of each month. DTSC staff attended six monthly meetings of LAEJN during the reporting period.

Los Angeles Community Environmental Enforcement Network (LACEEN).

The LACEEN Pilot project was launched on February 26, 2014. Further information can be found at the following website: <http://laceen.org/>

The project is the nation's first to incorporate real-time community fence-line air monitoring of a refinery and a website and task force to allow members of the public to file a complaint or report over an environmental, public health, or public safety violation or incident in their community. On December 8, 2014, LACEEN held a meeting to update members and the community on its project.

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2. DTSC Partnered with U.S. EPA Region 9 to Reduce Impacts to Schools and Children's Health – July - December 2014

DTSC co-founded the Clean Green Healthy Schools Workgroup with U.S. EPA Region 9 and established a communication network between communities, schools, and governmental agencies (healthyschools@dtsc.ca.gov). The pilot project established a specific focus on schools and childcare centers located within disadvantaged communities.

3. Central California Environmental Justice Network Annual “Roots of Resilience” Conference, Fresno - September 6, 2014

DTSC EJ Coordinator and Cleanup Program EJ Liaison provided information on DTSC's Brownfields Cleanup Program and screening of children's jewelry for toxic metals.

4. 47th Annual California State Native American Day (NAD), Sacramento - September 2014

DTSC staff participated as members of the NAD Committee and assisted in planning and implementing this event. Additional DTSC staff provided information on U.S. EPA Brownfields Grant Funding Opportunities, CalEPA Environmental Justice Small Grants, and screening of children's jewelry for lead and cadmium at this event.

5. U.S. EPA Region 9 Tribal Conference (22nd Annual), Sacramento - October 2014

DTSC EJ Coordinator and EJ Liaisons attended the Tribal Conference. The conference is an important opportunity for partnership and ongoing collaboration between Tribes, U.S. EPA, and other federal, state, and local agencies. CalEPA Assistant Secretary for Tribal Affairs, Arsenio Mataka, was a keynote speaker and provided CalEPA's and BDO's tribal accomplishments. Further information can be found at the following website: <http://region9tribal-epaconference.com/>

6. CalEPA Tribal Advisory Committee (TAC) Meetings, Sacramento - October/December 2014

DTSC provided a briefing on its Tribal activities to the TAC and CalEPA, and assisted in the briefing and review of CalEPA's draft Tribal Policy, AB 52 (Native Americans and CEQA), TAC nomination solicitations, and disseminating TAC nomination information to Tribes statewide.

7. California Environmental Justice Coalition (CEJC), Kettleman City - November 2014

DTSC provided translation equipment and supported the founding conference of CEJC. Approximately 200 people from urban, rural, and indigenous frontline communities, representing 50 grassroots organizations attended. Participants discussed recommended reforms to DTSC. The following link contains photos of the event: <http://tracyperkins.org/2014/11/09/slideshow-california-environmental-justice-coalition-founding-conference/>

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E. DTSC's Statewide Environmental Justice Cooperative Agreement Grant (SEJCA) July – December 2014

SEJCA Grant Accomplishments:

Twelve Community Partnership Projects were launched and completed through the grant. The project activity during the current reporting period is listed below:

- ☐ Maywood Drinking Water Assessment Project-December 2014
DTSC completed its third Assessment Report documenting DTSC's drinking water quality assessment at four public schools in Maywood in partnership with the Los Angeles Unified School District's Lead Monitoring Program (LAUSD). DTSC documented the quality of Maywood water at LAUSD public schools met California drinking water standards, and that LAUSD installed automatic shut off filters to remove heavy metal contaminants, and implemented best management practices such as mandatory flushing and disconnecting refrigerated fixtures. DTSC's efforts led to targeted site investigations by U.S. EPA of drinking water wells contaminated with industrial solvents, and documented the effectiveness of the City's manganese treatment units. The Maywood Interagency Partnership serves as a model of collaboration between government, community, and water utilities.
- ☐ Commerce: Truck Idling Hotspots and "No Idling Signs Project"
The City of Commerce approved and funded the installation of signs.
- ☐ The Los Angeles Basin Groundwater Restoration Project – DTSC supported the launch of four regional convening's of water agencies, water utilities, elected officials, and community members to develop a new model for protecting and cleaning groundwater resources. Two meetings were held during the reporting period.
- ☐ LACEEN – launched the task force in December 2014.
- ☐ Southern California EJ-Refinery Summit and Tour of Long Beach and Los Angeles area refineries - July 2014.

PROGRAM SELF-ASSESSMENT REPORTS

VI. PUBLIC PARTICIPATION

Public engagement serves as an essential component in DTSC's processes and practices. Maintaining public involvement throughout the decision-making process helps to build public trust and confidence. DTSC works to ensure that the public is involved in DTSC's decision-making process and public input is considered before any operating permit, permit modification, closure verification, or post-closure permit is approved or denied. In order to achieve this goal, public engagement activities are conducted by DTSC to encourage two-way dialogue, and promote transparency.

The community engagement work involved in the hazardous waste management program begins far in advance of the final decisions. Much of the public participation work that resulted in the permits and corrective action final decisions reported during this period were conducted last fiscal year. Similarly, some of the public participation activities conducted during this reporting period will impact future decisions, and are not included in this report.

During the reporting period, community engagement work included, developing and conducting community surveys in multiple languages, coordinating public meetings and forums, conducting interviews, developing, distributing, and posting public notices, updates, and fact sheets, maintaining events calendars, and updating mailing lists. Specific activities related to work at individual facilities are reported in the Permitting and Corrective Action sections.

In addition, public participation staff helped to facilitate the workshops in September 2014 for the Priority Product Work Plan, and managed related press releases and media inquiries.

PROGRAM SELF-ASSESSMENT REPORTS

VII. INFORMATION MANAGEMENT

A. Data Entry, Management and Reporting

1. Data Entry and Management- Enforcement Activities

DTSC has made tremendous progress in improving its data entry, data management, and data reporting. DTSC staff continued to upload data automatically from EnviroStor to RCRAInfo on the 15th of each month. DTSC staff also continued to utilize an electronic work request system for services such as financial assurance reviews and verifications, legal, and technical support services assistance on inspections and enforcement cases.

The creation of new and the modifications of existing Quality Assurance/Quality Control (QA/QC) reports have given regional data managers and supervisors the resources and abilities to analyze, project, modify, correct and add data to enforcement portion of EnviroStor in a timely manner. To improve reporting accuracy, a new QA/QC violations report is currently being designed in EnviroStor to determine if all violations are correctly uploaded to RCRAInfo.

DTSC continued to improve transparency by sharing data through the inspection, compliance, and enforcement enhancement module of the public EnviroStor Data Management System. The enhancement module provides detailed information and viewable documents on inspection activities and enforcement actions of permitted hazardous waste facilities. In addition to viewing data and documents, there are improved search features, new inspection and enforcement report features, and other enhancements that will make the data easy to locate and understand.

U.S. EPA Headquarters discontinued generating the Watchlist for states, so DTSC worked closely with U.S. EPA Region 9 and CalEPA's Unified Program to QA/QC unresolved RCRA violations data listed on the Watchlist.

B. Data Uploads to RCRAInfo

DTSC's EnviroStor Data Management System regularly reports enforcement, permitting and corrective action outputs, including the Federal Government Performance and Results Act (GPRA) accomplishments, to RCRAInfo to ensure accurate, timely, and complete tracking and reporting of RCRA core measures. DTSC continued transferring data to RCRAInfo by exporting data in the approved XML format, uploading the XML file to the CalEPA node, which was then transferred to USEPA's Central Data Exchange (CDX). From CDX, the data was then transferred to RCRAInfo. Data for Enforcement, Corrective Action and Permitting is reported on a monthly basis on approximately the 15th of each month. QA/QC was conducted after each successful upload to ensure that the data was successfully transferred. Below are the dates of each successful upload which include special requests for additional uploads beyond the regularly scheduled monthly process.

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PERMITTING	CORRECTIVE ACTION	ENFORCEMENT
1/15/2015	1/15/2015	1/15/2015
12/15/2014	12/15/2014	12/15/2014
11/15/2014	11/17/2014	11/17/2014
10/15/2014	10/15/2014	10/15/2014
9/30/2014	9/30/2014	9/30/2014
9/15/2014	9/15/2014	9/15/2014
8/15/2014	8/15/2014	8/15/2014
7/7/2014	7/15/2014	7/15/2014

B. Biennial Report- Policy and Program Support Division

During Fiscal Year 2013-2014, the Biennial Report (BR) workload was transferred to the Policy and Program Support Division in the Hazardous Waste Management Program (HWMP). The BR serves to gather information about the generation, transportation and final disposition of hazardous waste in the state. The resulting BR is maintained and managed to evaluate and characterize RCRA hazardous waste management, generation, treatment, storage, disposal, minimization, and waste management capacity. HWMP established a BR process that ensures that the BR data submitted to DTSC by applicable generators is keyed in and uploaded into U.S. EPA's database in an efficient and timely manner.

For the period July 1, 2014 to December 31, 2014, the following procedures were conducted to process the BR. The status is based on work done on the data from the last reporting cycle, 2013 BR Cycle:

1. Perform QA/QC on data received to identify discrepancies in reported quantities of wastes managed, received, shipped and generated by comparing to previous years' data. Any discrepancies should be investigated, verified, and/or corrected.

Status: DTSC continued conducting this work during the reporting period and is committed to this ongoing process.

2. Submit the initial data extract electronically to U.S. EPA Region 9 before July 7, 2014. Once data is loaded into RCRAInfo, DTSC should continue their data quality assurance efforts and submit any revised data to U.S. EPA Region 9 prior to final submission by October 1 of the submitting year. Data submitted to U.S. EPA Region 9 must pass the basic and advanced BRS edit check. The data must be compiled in, or translated into, the currently U.S. EPA approved BRS data files. The data must be submitted to U.S. EPA on a compact disk (CD) or through DTSC's FTP site.

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Status: DTSC completed this before the July 7, 2014 date. Revised data was uploaded prior to October 1, 2014 as required. QA/QC follow-up efforts were ongoing throughout the reporting period July 1, 2014 – December 31, 2014.

3. Continue data quality assurance efforts by using the advanced edit report, verification report, shipper/receiver reports, and other national quality assurance reports available in RCRAInfo or the BRS State software. DTSC will complete these data quality analyses and correct the data by October 1 of the submission year.

Status: QA/QC follow-up efforts are ongoing throughout the reporting period July 1, 2014 – December 31, 2014.

4. Identify all LQGs and TSDFs, which are listed as active in RCRAInfo but did not submit a Biennial Report during the survey cycle. DTSC shall perform analysis on this list to determine each non-reporting LOG and TSD. Non-reporters will be notified to submit the Biennial Report.

Status: This analysis and notifications have been completed. Follow-up efforts were conducted throughout the reporting period July 1, 2014 - December 31, 2014 and continue in 2015.

PROGRAM SELF-ASSESSMENT REPORTS

VIII. GRANT MANAGEMENT

A. Coordination Meetings

DTSC and U.S. EPA Region 9 staff continued monthly update meetings during the reporting period.

B. Quality Assurance Planning

DTSC staff received comments on the draft Quality Assurance Program Plan (QAPrP) from U.S. EPA Region 9 and worked on revisions to address the reviewer's concerns. DTSC plans to continue working with the reviewer(s) to revise the draft and submit a final QAPrP by June 30, 2015.

IX. AUTHORIZATION

In March 2014, DTSC initiated the development of an application to U.S. EPA for authorization of the Universal Waste Rule. The application package included comparisons of federal regulations to the state regulations as required in eight U.S. EPA Checklists. DTSC staff completed review of six checklists by December 2014 and submitted the application package to the California Attorney General's Office for review.

In a conference call on December 9, 2014, U.S. EPA identified three additional checklists that must be reviewed by DTSC. DTSC completed two of these additional checklists during the reporting period.

The Attorney General or their designee has 30 days to review and comment on the application package. DTSC staff will review the comments provided by the Attorney General and revise the package as necessary, before submitting the application to U.S. EPA for authorization of the Universal Waste Rule by the end of April 2015.

**APPENDIX A
ENFORCEMENT AND EMERGENCY RESPONSE DIVISION
FORMAL ENFORCEMENT ACTIONS**

RCRA Funded Facilities – Formal Enforcement

Acme Fill Corporation, City of Martinez, Contra Costa County: CAD041835695. On July 25, 2014, DTSC entered into a Consent Order with Acme Fill Corporation (Acme) settling violations discovered during the May 26, 2011 inspection. The violations include: failure to perform an annual leak test on tank treatment system piping, failure to provide tank equipment secondary containment, storing hazardous waste over 90 days, failure to maintain integrity of the landfill cover, and failure to maintain adequate post closure financial assurance. Acme has agreed to pay a penalty of \$40,000, in four \$10,000 payments.

All County Environmental & Restoration, Inc., City Of Anaheim, Orange County: CAL000317239. On August 22, 2014, DTSC entered into a Consent Order with All County Environmental & Restoration covering violations discovered during a records review of the company. The Hazardous Waste Tracking System indicated that the facility had transported hazardous wastes from 2010 until 2013 without obtaining a hazardous waste hauler registration from DTSC. A Summary of Violations and an inspection report was mailed to the facility on July 17, 2014. The company is a general contractor specializing in repairs, custom remodels, immediate flood or fire damages, asbestos/lead abatement, and mold remediation serving Southern California. The Consent Order assessed a total amount of \$10,500 that was paid in full as of September 14, 2014.

Evoqua Water Technologies, LLC, City of Los Angeles, Los Angeles County: CAD097030993. On August 7, 2014, DTSC entered into a Consent Order with Evoqua Water Technologies (Evoqua) settling violations discovered during a May 20, 2013 inspection of this off-site treatment and storage facility. As a result of the inspection, Evoqua was cited for the following violations: failure to develop a procedure for assessing the condition of its tanks; failure to record the location of each hazardous waste within the site and the quantity at each location; and storage and treatment in an unauthorized unit. Evoqua has agreed to pay a penalty of \$11,000.

Exide Technologies, Inc., City of Vernon, Los Angeles County: CAD097854541. On November 21, 2014, DTSC entered into a Consent Order with Exide Technologies (Exide) settling violations found on inspections conducted on August 16, 2013, April 29, 2014, and August 5, 2014. As a result of those inspections, Exide was cited for the following violations: several counts of failure to minimize a release; failure to have a functioning leak detection system; installation and use of a rotary dryer, an unauthorized treatment unit; failure to inspect and record monitoring data for the containment building and surrounding areas; failure to inspect waste handling areas; failure to maintain the primary barrier of the containment building to be free of significant cracks, gaps, corrosion, or other deterioration; storage of hazardous waste in leaking containers; failure to transfer hazardous waste from a container in bad condition into a container in good condition; and storage of hazardous waste in open containers. The penalty was assessed at \$1,286,374; Exide paid a post-petition penalty payment of \$526,345.

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FORMAL ENFORCEMENT ACTIONS

Filter Recycling Services, Inc., City of Rialto, San Bernardino County:

CAD982444481 (complaint). On October 21, 2014, while at the Office of Administrative Hearings in Los Angeles for a scheduled three-day administrative hearing, DTSC executed a Stipulation and Order with Filter Recycling Services, Inc. (FRS) and its President, Jon L. Bennett, Jr. The Stipulation and Order addresses the violations identified in a December 28, 2010 Enforcement Order that include: unpermitted transfer of used oil; storage of tank trailers of hazardous waste in unpermitted areas; and making false statements in the operating record regarding the disposition of bulk loads of hazardous waste. The Stipulation and Order calls for a total penalty of \$75,000. However, in December 2012, DTSC filed a civil complaint for additional violations found during inspections in 2009 and 2012, including accepting unauthorized waste streams, maintaining false/misleading operating records, storage of ignitable waste within 50 feet of the property line and in unauthorized areas outside of the permitted facility, among other causes of action. The parties are engaged in discovery and that matter is still pending in Superior Court.

Kroeker Environmental Services, Inc., City of Fresno, Fresno County:

CAR000155317. On July 17, 2014, DTSC entered into a Consent Order with Kroeker Environmental Services settling violations discovered on a November 19, 2013 inspection of this registered hazardous waste transporter. Kroeker was cited for storage of hazardous waste in excess of the 10-day transfer facility exemption. The company agreed to pay a penalty of \$4,248.

Neutrogena, City of Los Angeles, Los Angeles County: CAR000054031. On December 12, 2014, a Stipulation for Entry of Final Judgment on Consent was filed by the California Office of the Attorney General on behalf of DTSC requiring Neutrogena to pay \$416,423 to DTSC. The violations related to this settlement were identified during a DTSC inspection on March 17, 2010. As part of the settlement, Neutrogena is able to reduce the civil penalties by up to \$5,000 by sending employees to the California Compliance School to receive training on the HWCL requirements for handling hazardous waste.

Safety Kleen Systems, City of Sacramento, Sacramento County:

CA0000084517. On August 7, 2014, DTSC entered into a Consent Order with Safety Kleen Systems (Safety Kleen) settling violations discovered during a September 27 - 28, 2012 inspection. The violations include failure to perform daily tank inspections, failure to obtain a tank assessment, and failure to store incompatible wastes separately. Safety Kleen agreed to pay a penalty of \$49,238.70.

Synergy Enterprises, Inc., City of Hayward, Alameda County: CAL000291177. On July 16, 2014, DTSC and Synergy Enterprises (a registered transporter hauling primarily asbestos wastes) entered into a Stipulation for Entry of Final Judgment settling violations observed during a July 26, 2012, complaint investigation of this facility. Violations involved: unauthorized storage (957 instances of 10-day exempt transfer

APPENDIX A
ENFORCEMENT AND EMERGENCY RESPONSE DIVISION
FORMAL ENFORCEMENT ACTIONS

station exceedances for 2010, 2011 and 2012) and unlabeled containers. The penalty paid was \$110,000.

Non-RCRA Funded Facilities – Formal Enforcement

Advanced Cleanup Technologies Inc., City of Carson, Los Angeles County: CAD983620402 (Complaint). On July 28, 2014, DTSC entered into a Consent Order (CO) with Advanced Cleanup Technologies Inc. (ACTI) resolving violations observed during a complaint investigation. ACTI agreed to a penalty of \$195,000. ACTI was cited for storing and transporting hazardous waste without a permit or authorization from DTSC.

Black Star Oil Company, Inc., City of Los Angeles, Los Angeles County: CAL912823785. On September 18, 2014, DTSC entered into a Consent Order with Black Star Oil Company (Black Star) settling a violation that was discovered in a December 21, 2012 inspection of this registered transporter. Black Star was cited for failure to complete, sign, and date the transporter section of the manifest acknowledging acceptance of hazardous waste from the generator. The company agreed to pay a penalty of \$3,000.

Crystal Blue Environmental, City of Elverta, Sacramento County: CAL000375092. On September 18, 2014, DTSC entered into a Consent Order with Crystal Blue Environmental settling violations discovered during inspections conducted on October 22 and December 23, 2013. The violations include: not having possession of the transporter registration while transporting hazardous waste; failure to notify DTSC of its intent to use the consolidated manifesting procedure when it applied for renewal of its hazardous waste transporter registration for years 2013/2014; failure to report before March 1st of each year the shipping descriptions and corresponding volume of each type of used oil transported; failure to have a valid hazardous waste transporter registration for the period between June 31 and October 28, 2013, while engaging in the transportation of hazardous waste. The company agreed to pay a penalty of \$5,500.

Pick & Earn Recycling, City of Los Angeles, Los Angeles County. On August 28, 2014, DTSC entered into a Consent Order with Pick & Earn Recycling (Pick & Earn) settling violations discovered on an April 25, 2013 inspection of this universal waste electronic devices handler. Pick & Earn was cited for failure to contain an electronic device in a manner that prevents breakage and release of components to the environment; and failure to maintain training records for at least three years from the date the person last managed universal waste at the facility. The company has agreed to pay a penalty of \$5,000.

Ramos Environmental Services, City of West Sacramento, Yolo County: CAD044003556. On September 10, 2014, DTSC entered into a Consent Order with Ramos Environmental Services (Ramos) settling violations discovered on a May 29, 2013 inspection of this Standardized Permit Facility. Ramos was cited for the

APPENDIX A
ENFORCEMENT AND EMERGENCY RESPONSE DIVISION
FORMAL ENFORCEMENT ACTIONS

following violations: failure to maintain adequate aisle space; failure to post a sign “Danger Hazardous Waste Area – Unauthorized Personnel Keep Out” at each entrance to the active portion of the facility; and failure to include in its contingency plan a list of all emergency equipment. The company has agreed to pay a penalty of \$5,500.

Thermo Fluids, Inc., City of Santa Ana, Orange County: CAL000381082. On November 10, 2014, DTSC entered into a Consent Order with Thermo Fluids settling violations discovered on a January 15, 2014 inspection of this hazardous waste transporter. Thermo Fluids was cited for storage of hazardous waste in an unauthorized area without a permit; and transportation, or offering for transportation, hazardous waste without preparing a completed and signed manifest. The company has agreed to pay a penalty of \$16,280.

Waste Tire Products, City of Orland, Glenn County: CAL000267271. On December 9, 2014, DTSC entered into a Consent Order with Waste Tire Products (WTP) resolving violations observed during an e-waste inspection on March 13, 2014. WTP was cited for failing to label Universal Waste Electronic Devices (UWEDs) and CRTs (repeated for three years in a row), failure to demonstrate accumulation time periods (repeated for three years in a row), failure to contain UWEDs and CRTs in a manner that prevents breakage and releases (repeated for three years in a row), failure to immediately contain releases of universal waste and universal waste residues to the environment, failing to conduct treatment activities over a containment device, failure to label and demonstrate accumulation time lengths for universal waste lamps, and failure to contain universal waste lamps in a closed container. WTP has agreed to a penalty of \$15,000.

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IMPLEMENTATION SUMMARY

BACKGROUND:

The Unified Program consolidates, coordinates and makes consistent the administrative requirements, permits, inspections and enforcement activities of six environmental and emergency response programs. The state agencies responsible for these programs set the standards for their program while local governments implement the standards. CalEPA oversees the implementation of the Unified Program as a whole. The program is implemented at the local level by 83 local governmental agencies certified by the Secretary of CalEPA. DTSC has been designated by CalEPA to implement the program in Imperial and Trinity Counties.

New Electronic Reporting: On January 1, 2009, State Assembly Bill 2286 went into effect. This law requires all regulated businesses and all implementing local governmental agencies, called Certified Unified Program Agencies - CUPAs, to use the Internet to file required CUPA information previously filed by paper forms into the new California Environmental Reporting System (CERS). This includes facility data regarding hazardous material regulatory activities, chemical inventories, underground and aboveground storage tanks, and hazardous waste generation. It also includes CUPA data such as inspections and enforcement actions. All regulated businesses and CUPAs in the State of California must use CERS to file by January 1, 2013. DTSC's Imperial and Trinity CUPAs' internal data systems, EnvisionConnect, will be able to directly interact and exchange information with CERS by March 2015. Therefore, staff will no longer be required to manually enter inspection and enforcement information in both databases. (The data exchange does not have a deadline; however, per AB2286 the CUPAs have to enter inspection and enforcement data into CERS by the end of the fiscal year annually starting 2013/2014. DTSC CUPAs did input inspection information by June 30, 2014. However, enforcement information was entered by December 31, 2014, and CalEPA was notified. This effort was done manually in order to comply with the law).

A. IMPERIAL COUNTY IMPLEMENTATION ACTIVITIES:

- ☐ Identified 862 facilities which are presently receiving their annual invoices.
- ☐ Continued to identify newly regulated businesses and remove closed businesses that no longer meet the criteria for being regulated under the CUPA or ceased operating their business.
- ☐ 862 facilities will be billed in January 2015 for Fiscal Year 2014/2015 to include Aboveground Petroleum Storage Act (APSA) surcharge billing as requested by CalEPA.
- ☐ Responded to over 60 inquiries on the program elements and the CERS requirements from generators, regulated facilities, consultants, and other interested parties.
- ☐ Performed 76 Hazardous Materials Business Plan inspections during this reporting time period. The CUPA has achieved 25% of the annual inspections required during this reporting time period.

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- ☐ Performed 76 Hazardous Waste inspections during this reporting time period. The CUPA has achieved 33% of the annual inspections required.
- ☐ Performed 38 Underground Storage Tank facility inspections. The CUPA has achieved 44% of the annual inspections required during this reporting time period.
- ☐ Performed 19 Aboveground Petroleum Storage Act tank inspections. The CUPA has achieved 33% of the annual inspections required during this reporting time period.
- ☐ No California Accidental Release Prevention (CalARP) inspections have been performed during this reporting time period.
- ☐ Conducted 16 complaint investigations and all were abated.
- ☐ Reviewed 13 California Office of Emergency Services (CalOES) Notification of Hazardous Materials release. Two were assigned to staff to further investigate and one was converted to a complaint and investigated.
- ☐ Continued to attend the monthly CERS User Group meetings and Decade User Group meetings.
- ☐ Continued to work with DTSC's Office of Environmental Information Management (OEIM), Decade Software Company representative and CERS representative on software updates.
- ☐ Cypress Senior Scientist, CUPA data manager for both Imperial and Trinity CUPAs, worked closely with OEIM and Decade Software company representatives on various occasions throughout the fiscal year to obtain database system fixes, download and upgrading of important software which would correct errors to the CERS Integration Wizard (CIW).
- ☐ The three-year contract with Decade Software Company was approved. Cypress Senior Scientist is working with Decade on the hosting of our database, Envision Connect and Envision Connect Remote.
- ☐ Continued to address and correct audit deficiencies and report the findings to CalEPA.
- ☐ Responded to 245 Public Record Act requests, all fully complying within the statutory time requirement.
- ☐ In this County 73% of the regulated businesses have complied with electronic filing of their Hazardous Materials Business Plans in CERS as required by AB 2286. Inspectors continue to notify facilities that are not in compliance with AB2286 when they conduct inspections. When facilities mail their Business Plans to the CUPA, they are sent a notification that they need to submit it via CERS and that assistance is available from the CUPA. Businesses have access to two computers in a common area at the El Centro Office for public use.
- ☐ Two enforcement cases were settled during this reporting period totaling approximately \$37,000.
- ☐ Manager attended the CUPA Managers' bi-monthly meetings.
- ☐ Support staff entered all inspection, violation and enforcement information into CERS as required by AB2286 for Fiscal Year 2013/2014 manually

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and continue to do so for Fiscal Year 2014/2015 until both the
EnvisionConnect and CERS are capable of transferring data.

Imperial CUPA Environmental Justice activities and settled cases are reported in
the Environmental Justice section.

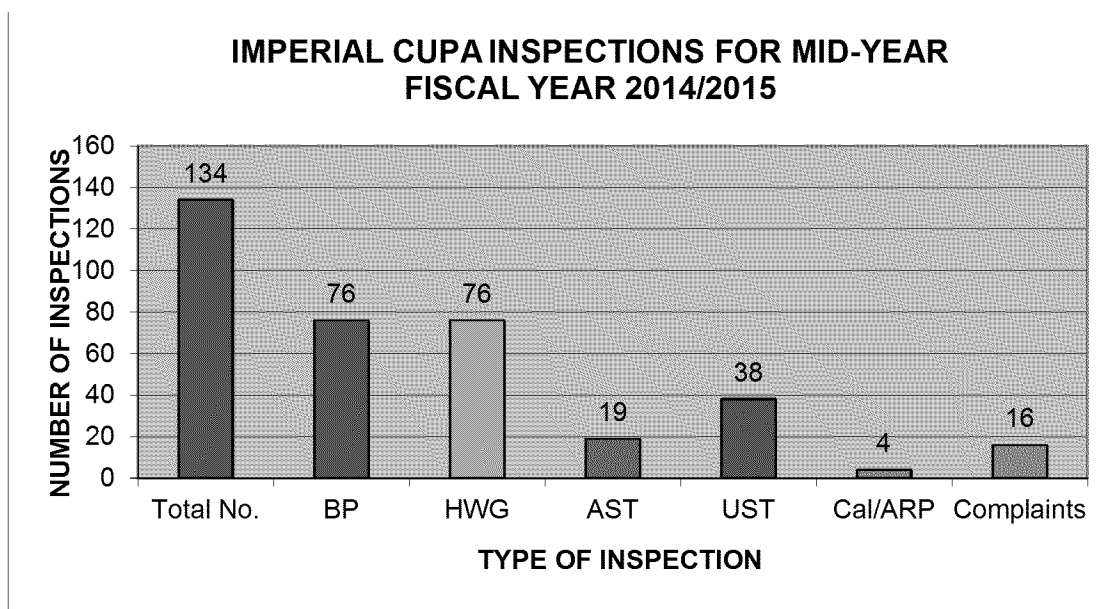
Chart 1

**Estimated Universe of Businesses Regulated by the DTSC CUPA in
Imperial County as of December 31, 2014**

CUPA Program	Approx. Number of Imperial County Businesses Subject to this Program
Business Plan/Hazardous Material Plan/Inventory	808
Hazardous Waste Generator	639
CAL/ARP	48
Underground Storage Tank (UST)	86
Aboveground Petroleum Storage Tank	178
Tiered Permitting Facilities	1

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Chart 2 Number by Type of Imperial County CUPA Inspections



BP = Hazardous Materials Business Plan

HWG = Hazardous Waste Generator

AST = Aboveground Storage Tank

UST = Underground Storage Tank

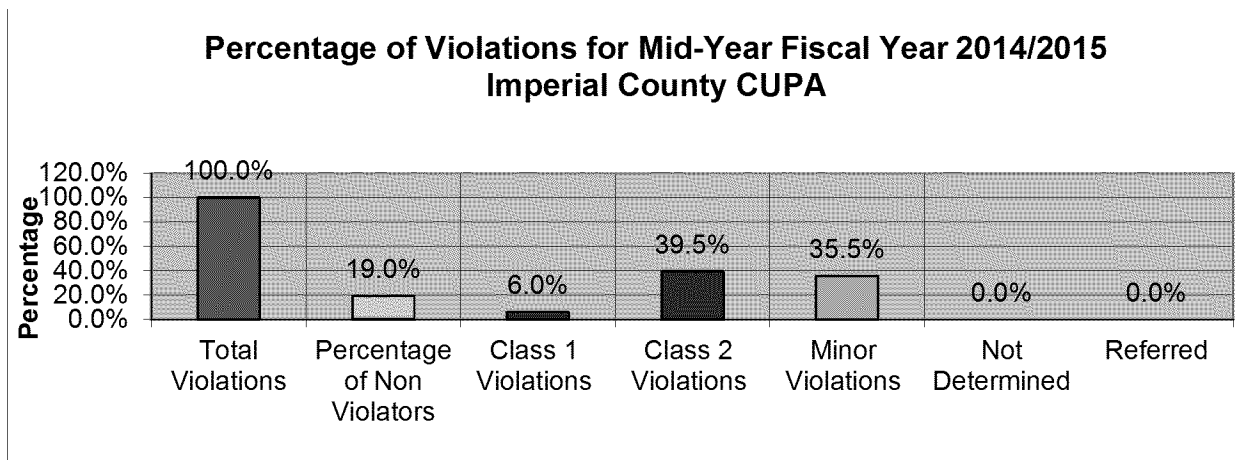
CAL/ARP = California Accidental Release Prevention

Complaints= these are in addition to required annual inspections.

(Because some of these businesses have several program elements, the total number of inspections may differ from the total number of inspected facilities.)

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Chart 3 Percentage of Violations in Imperial County for Mid-Year FY 2014/2015



Non-Violators =	38	Minor Violators =	71
Class I Violators =	12	Not Determined =	0
Class 2 Violators =	79	Referred =	0

B. TRINITY COUNTY IMPLEMENTATION ACTIVITIES:

- ☐ Continued to identify newly regulated businesses in Trinity County and remove businesses that have ceased operating within the program elements.
- ☐ 138 facilities will be billed in January 2015 for Fiscal Year 2014/2015 billing. APSA surcharge will be included in this billing as requested by CalEPA.
- ☐ Conducted 7 CUPA inspections during this reporting time period.
- ☐ Performed 6 Hazardous Materials Business Plan inspections during this reporting time period. The CUPA has achieved 14% of the annual inspections required during this reporting time period.
- ☐ Performed 4 Hazardous Waste inspections during this reporting time period. The CUPA has achieved 22% of the annual inspections required.
- ☐ Performed one Underground Storage Tank facility inspection. The CUPA has achieved 12% of the annual inspections required during this reporting time period.
- ☐ Performed one Aboveground Petroleum Storage Act tank inspection. The CUPA has achieved 8% of the annual inspections required during this reporting time period.
- ☐ There were no complaints received during this reporting period.
- ☐ Reviewed one Office of Emergency Services (OES) Notification of Hazardous Materials release.
- ☐ Continued to attend the CERS User Group meetings and Decade User Group meetings.

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- ☐ Continued to work with DTSC's OEIM, Decade Software Company representative and CERS representative on software updates and issues.
- ☐ 48% of the regulated businesses in the County have complied with electronic filing of their Hazardous Materials Business Plans in the California Environmental Reporting System as required per AB 2286. Inspectors continue to notify facilities that are not in compliance with AB 2286 when they conduct inspections. When facilities mail their Business Plans to the CUPA, they are sent a notification that they need to submit it via CERS and that assistance is available from the CUPA.
- ☐ Two computers with printers were placed in Trinity County for public use. One was placed in the Weaverville Public Library and the other at the Hayfork Public Library.
- ☐ Continued to address and correct audit deficiencies and report the findings to CalEPA.
- ☐ The enforcement case started in Fiscal Year 2013/2014 is still in progress.

The following chart shows how many of the 138 regulated businesses in Trinity County are subject to each CUPA program element. Some of the businesses are subject to more than one CUPA program.

Chart 1. Estimated Universe of Businesses Regulated by the DTSC CUPA in Trinity County as of December 31, 2014.

CUPA Program	Number of Trinity County Businesses Subject to this Program
Business Plan/HazMat Plan Inventory *	130
Hazardous Waste Generator **	53
CalARP***	5
Underground Storage Tank	9
Aboveground Petroleum Storage Tank	38

* In Trinity County, the Hazardous Materials Management Plan/Hazardous Material Inventory Plan is covered by the Business Plan requirements.

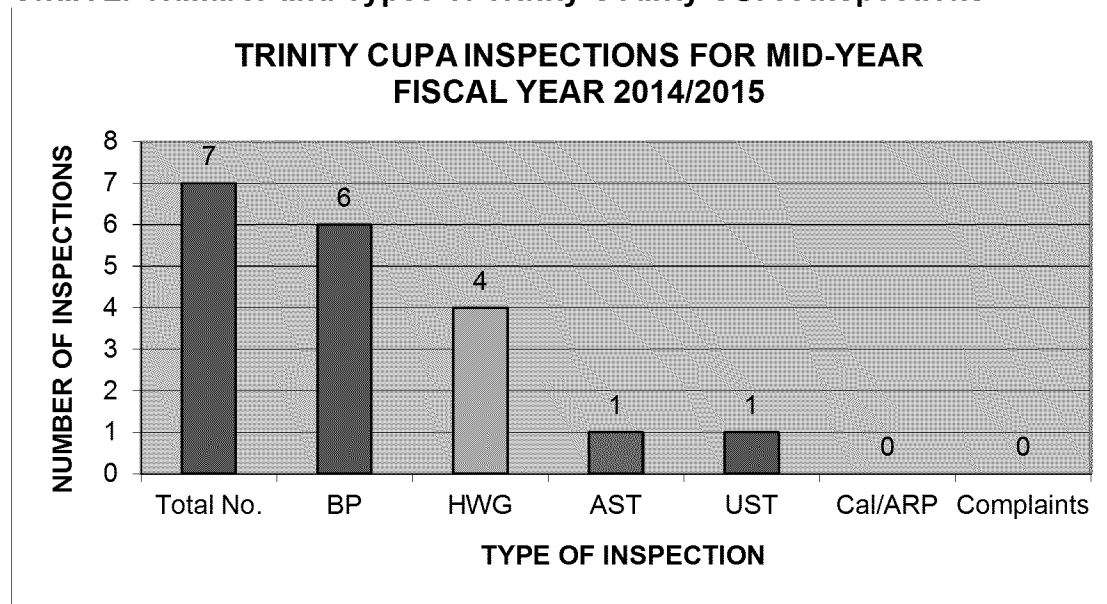
** The Hazardous Waste Generator category also covers Hazardous Waste Tiered Permitting (HWTP). No HWTP regulated businesses have been found to date in Trinity County.

*** Three businesses have been identified as CalARP facilities. One of these facilities has three stationary sources, bringing the total number of CalARP sites up to five.

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The following chart shows the number of each type of Trinity County sites subject to CUPA regulations.

Chart 2. Number and Types of Trinity County CUPA Inspections



BP = Hazardous Materials Business Plan

HWG = Hazardous Waste Generator

AST = Aboveground Storage Tank

UST = Underground Storage Tank

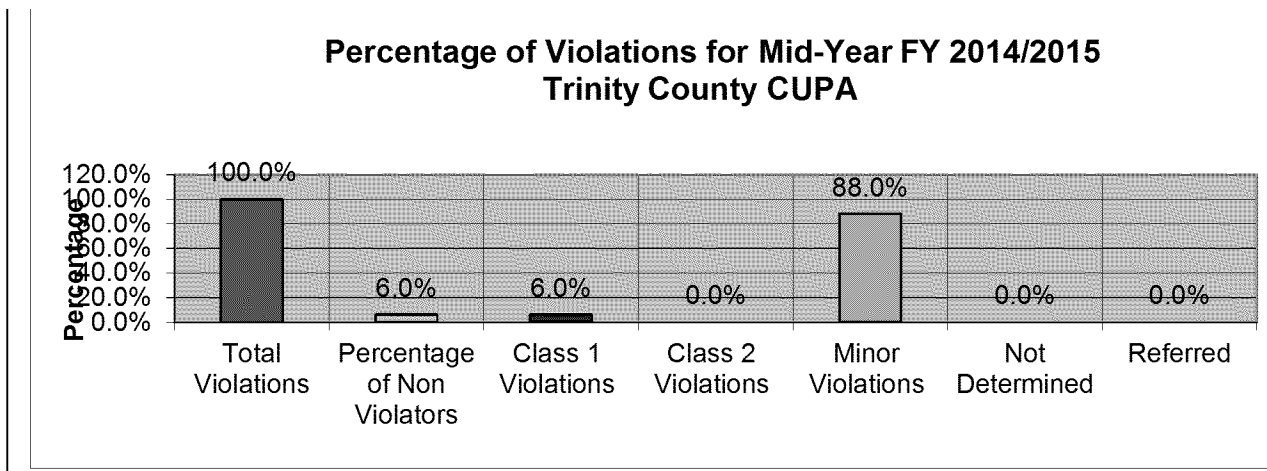
CAL/ARP = California Accidental Release Prevention

Complaints = these are in addition to required annual inspections.

(Since some of these businesses have several program elements, the total number of inspections may differ from the total number of inspected facilities.)

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Chart 3. Percentage of Violations in Trinity County for Mid-Year FY 2014/2015



Non-Violators = 2
Class I Violators = 2
Class 2 Violators = 0

Minor Violators = 29
Not Determined = 0
Referred = 0